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No. 30]

NEW DELHI, JULY 20—JULY 26, 2008, SATURDAY/ASADHA 29—SRAVANA 4, 1930

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृथक संकलन के रूप में रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सामिक्षिक आदेश और अधिसूचनाएं

Statutory Orders and Notifications Issued by the Ministries of the Government of India

(Other than the Ministry of Defence)

कार्यिक, लोक शिकायत तथा पेंशन मंत्रालय

(कार्यिक और प्रशिक्षण विभाग)

नई दिल्ली, 17 जुलाई, 2008

का. आ. 1935.—केंद्रीय सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम 1946 (1946 का अधिनियम सं. 25) की धारा 6 के साथ पठित धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए झारखण्ड राज्य सरकार, गृह विभाग की अधिसूचना सं. 6/सीबीआई-404/2008-2493 दिनांक 19-6-2008 द्वारा प्राप्त झारखण्ड सरकार की सहमति से भाद्रीय दंड संहिता, 1860 (1860 का अधिनियम सं. 45) की धारा 302, 201 और 34 के अधीन ललित मेहता, पुत्र श्री जगदीश मेहता, गांव-जयनगर, पुलिस स्टेशन मडियांव, ज़िला गढ़वाल और सचिव, विकास सहयोग केंद्र (एनजीओ) छतरपुर, ज़िला पलामू संबंधी विश्रामपुर (ज़िला पलामू) में दर्ज मामला सं. 71/2008 दिनांक 15-5-2008 के अन्वेषण के मामले तथा उपर्युक्त अपराधों से संबंधित अथवा संसक्त प्रयत्नों, दुष्ट्रेणों और घड़यन्त्रों तथा उसी संबंधान के अनुक्रम में अथवा उन्हीं तथ्यों से उद्भूत किसी अन्य अपराध अथवा अपराधों का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और अधिकारिता का विस्तार सम्पूर्ण झारखण्ड राज्य पर करती है।

[सं. 228/54/2008-ए.वी.डी. II]

चंद्र प्रकाश, अवर सचिव

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES
AND PENSIONS

(Department of Personnel and Training)

New Delhi, the 17th July, 2008

S.O. 1935.—In exercise of the powers conferred by sub- section (1) of Section 5 read with Section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government with the consent of the State Government of Jharkhand. Home Department vide Notification No. 6/CBI-704/2008-2493 dated 19th June, 2008, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Jharkhand for investigation of Case No. 71/08 dated 15-5-2008 under sections 302, 201 and 34 of the Indian Penal Code, 1860 (Act No. 45 of 1860) registered at Vishrampur (District Palamau) relating to murder of Lalit Mehta S/o Shri Jagdish Mehta, Village-Jainagar, Police Station Majhiay, District Garhwa and Secretary, Vikas Sahyog Kendra (N.G.O.) Chhatarpur, District Palamau, the abetment and conspiracy in relation to or in connection with the said offences and any other offences in the aforesaid transaction.

[No. 228/54/2008-AVD-II]

CHANDRA PRAKASH, Under Secy.

वित्त मंत्रालय

(वित्तीय सेवाएं विभाग)

नई दिल्ली, 15 जुलाई, 2008

का. आ. 1936.—भारतीय निर्यात आयात बैंक अधिनियम, 1981 (1981 का 28) की धारा 6 की उप-धारा (1) के खंड (D.) के उपखंड (III) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्रीय सरकार, एटद्वारा, डॉ. नगेश कुमार, महानिदेशक, विकासशील देशों हेतु अनुसंधान एवं सूचना प्रणाली, को तीन वर्ष की अवधि के लिए अथवा अगले आदेश होने तक, जो भी पहले हो, भारतीय निर्यात-आयात बैंक के निदेशक बोर्ड में अंशकालिक गैर-सरकारी निदेशक के रूप में नामित करती है।

[फा. सं. 24/4/2002-आईएफ-1]

रमन कुमार गौड़, अवर सचिव

MINISTRY OF FINANCE

(Department of Financial Services)

New Delhi, the 15th July, 2008

S.O. 1936.—In pursuance of sub-clause (iii) of clause (e) of sub-section (1) of Section 6 of the Export Import Bank of India Act, 1981 (28 of 1981), Central Government hereby nominates Dr. Nagesh Kumar, Director General, Research & Information System for Developing Countries, as part time non-official Director on the Board of Directors of Export Import Bank of India with immediate effect for a period of three years or until further orders, whichever is earlier.

[F No. 24/4/2002/IF-1]

RAMAN KUMAR GAUR, Under Secy.

(राजस्व विभाग)

केंद्रीय उत्पाद तथा सीमा शुल्क के मुख्य आयुक्त का कार्यालय

पुणे, 23 जून, 2008

संख्या 1/2008 सी.शु. (एन.टी.)

का. आ. 1937.—भारत सरकार, वित्त मंत्रालय, राजस्व विभाग, नई दिल्ली, द्वारा दिनांक 1-7-1994 को जारी अधिसूचना संख्या-33/94-सीमा-शुल्क (एन.टी.) द्वारा मुझे प्रदत्त अधिकारों का प्रयोग करते हुए मैं, एटद्वारा महाराष्ट्र राज्य के पुणे जिले में तालुका हवंली स्थित पुणे शहर को सीमा-शुल्क अधिनियम 1962 (1962 का 52) की धारा 9 के अधीन निजी बॉर्ड बैअरहाउस स्थापन करने के लिए बैअरहाउसिंग स्टेशन घोषित कर रहा हूँ।

[फा. सं. VIII/48-39/मु.आ.का./पुणे क्षेत्र/06]

रा.ज.बेले, मुख्य आयुक्त

(Department of Revenue)

OFFICE OF THE CHIEF COMMISSIONER OF CENTRAL EXCISE AND CUSTOMS

Pune, the 23rd June, 2008

No.1/2008 Cus (NT)

S.O. 1937.—In exercise of the powers conferred on me by Notification No.33/94-Cus (NT), dtd. 1-7-94 of the Government of India, Ministry of Finance, Department of Revenue, New Delhi, I hereby declare Pune City Tal-Haveli, Dist-Pune, in the State of Maharashtra to be a Warehousing Station, under Section 9, of the Customs Act, 1962 (52 of 1962), for setting up Private Bonded Warehouse.

[F.No.VIII/48-39/CCU/PZ/06]

R. J. BELEY, Chief Commissioner

सीमा शुल्क एवं केंद्रीय उत्पाद शुल्क आयुक्त का कार्यालय

सेलम, 15 जुलाई, 2008

संख्या 2/2008 सी.शु. (एन.टी.)

का. आ. 1938.—सीमा-शुल्क अधिनियम 1962 की धारा 152 के खंड (क) के अंतर्गत भारत सरकार, वित्त मंत्रालय, राजस्व विभाग, नई दिल्ली, द्वारा दिनांक 1-7-1994 को जारी अधिसूचना संख्या- 33/94-सीमा-शुल्क (एन.टी.) द्वारा अधोहस्ताक्षरी को प्रदन शक्तियों का प्रयोग करते हुए मैं, सी.पी.राव, आयुक्त, सीमा-शुल्क एवं केंद्रीय उत्पाद शुल्क, सलेम एटद्वारा एस.एफ.संख्या 115/2, सिंगलपट्टी ग्राम, नमक्कल तहसील, नमक्कल जिला तमில்நாடு राज्य को वाणिज्य विभाग, वाणिज्य एवं उद्योग मंत्रालय, मद्रास निर्यात प्रोसेसिंग जोन, अनुमोदितनुसार शत-प्रतिशत निर्यातोमुख एकक के प्रयोजन के लिए सीमा-शुल्क अधिनियम 1962 की धारा 9 के अनुसार भाण्डागार स्टेशन घोषित करता हूँ।

[फा. नं. सो.सं. VIII/40/02/2008/-सीमा-शुल्क/नीति]

सी.पी.राव, आयुक्त

OFFICE OF THE COMMISSIONER OF CUSTOMS
AND CENTRAL EXCISE

Salem, the 15th July, 2008

No.2/2008 Customs (NT)

S.O. 1938.—In exercise of the powers delegated to the undersigned, vide Notification No.33/94-CUS(NT), dtd. 1-7-94 of the Government of India, Ministry of Finance, Department of Revenue, New Delhi, under clause (a) of Section 152 of the Customs Act, 1962, I, C.P.RAO, Commissioner of Customs and Central Excise, Salem, hereby declare S.F.No.115/2, Singilipatti village in Mamakkal Taluk of Mamakkal District in the state of Tamilnadu, to be a Warehousing Station, under Section 9, of the Customs Act, 1962, for the purpose of setting up of 100% Export Oriented Unit, as approved by the Ministry of Commerce & Industry, Department of Commerce Madras Export Processing Zone, Chennai.

[F. No. C. No. VIII/40/02/2008-CUS/POL]

C. P. RAO, Commissioner

कार्यालय मुख्य आयकर आयुक्त

उदयपुर, 15 जुलाई, 2008

अधिसूचना संख्या-08/2008-09

(आयकर)

का.आ. 1939.—आयकर अधिनियम, 1961 (1961 का 43 वा) को धारा 10 के खण्ड (23G) की उपखण्ड (IV) के साथ पठित आयकर नियमावली, 1962 के नियम 2ग के द्वारा प्रदत्त शब्दियों का प्रयोग करते हुए मुख्य आयकर आयुक्त, उदयपुर एतद्वारा “महाराणा प्रताप स्मारक समिति, मोती मगरी, उदयपुर (राजस्थान)” को कर निर्धारण वर्ष 2008-09 से 2012-13 तक के लिए निम्नलिखित शर्तों के अधीन रहते हुए उक्त उपखण्ड के प्रयोजनार्थ अधिसूचित करते हैं, अथवा:-

- (i) कर निर्धारिती अपनी आय का इस्तेमाल अथवा अपनी आय का इस्तेमाल करने के लिए उनका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा जिनके लिए इसकी स्थापना की गई है;
- (ii) कर निर्धारिती उपर्युक्त कर निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा(v) में विविरित किसी एक अथवा एक से अधिक छंग अथवा भिन्न तरीकों से अपनी निधि (जेवर, जवाहरात, फर्नीचर आदि के रूप प्राप्त तथा अनुकृति स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करेगा;
- (iii) यह अधिसूचना किसी ऐसी आय के सम्बन्ध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ हो जब तक कि ऐसा कारोबार उक्त कर निर्धारिती के उद्देश्यों की प्राप्ति के प्रांसंगिक नहीं हो अथवा ऐसे कारोबार के सम्बन्ध में अलग से लेखा पुस्तिकाएं नहीं रखी जाती हो;
- (iv) कर निर्धारिती आयकर अधिनियम 1961 के प्रावधानों के अनुसार अपनी आय विवरणी नियमित रूप से आयकर प्राधिकारी के समक्ष दाखिल करेंगा;
- (v) विघटन की स्थिति में इसकी अतिरिक्त राशियां और परिसम्पत्तियां समान उद्देश्यों वाले धर्माधि संगठन को दे दी जायेंगी;

यह अधिसूचना केवल संस्था की ओर से आय के प्राप्तकर्ता पर ही लागू होगी न कि इस तरह के प्राप्तकर्ता द्वारा किसी अन्य प्राप्ति अथवा आय पर। संस्था के आय की करारधेयता अथवा अन्यथा पर, आयकर अधिनियम 1961 के उपबन्धों के अनुसार पृथक रूप से विचार किया जायेगा।

[संख्या मु.आ.आ./उदय/आ.अ.(तक.)/2008-09]

मुकेश भान्ती, मुख्य आयकर आयुक्त

OFFICE OF THE CHIEF COMMISSIONER OF
INCOME TAX

Udaipur, the 15th July, 2008

Notification No.8/2008-09

(INCOME-TAX)

S.O. 1939.—In exercise of the powers conferred by Sub-Section (iv) of Clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961) read with rule 2C of the Income-tax Rules, 1962, I, Chief Commissioner of Income-tax, Udaipur hereby notify the “Maharana Pratap Smarak Samiti, Moti Magri, Udaipur (Rajasthan)” for the purpose of the said sub-clause for the assessment years 2008-09 to 2012-13 subject to the following conditions, namely :—

- (i) The assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) The assessee will not invest or deposit its fund (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous year relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of section 11;
- (iii) This notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business;
- (iv) The assessee will regularly file its return of income before the Income-tax authority in accordance with the provisions of the Income Tax Act, 1961;
- (v) That in the event of dissolution, its surplus and the assets will be given to a charitable organization with similar objectives;

This notification is applicable only to the recipients of income on behalf of the assessee and not any other recipient or income of such recipients. Taxability or, otherwise of the income of the assessee would be separately considered as per the provisions of the Income Tax Act, 1961.

[No. CCIT/UDR/ITO (Tech)/2008-09]

MUKESH BHANTI, Chief Commissioner of
Income-tax

(केंद्रीय प्रत्यक्ष कर बोर्ड)

नई दिल्ली, 18 जुलाई, 2008

का. आ. 1940.—सर्वसाधारण की आम राशि के लिए एवं द्वारा आयकर नियमावली, 1962 (उक्त नियमावली) के नियम ३ ग और ५ घ के साथ पठित आयकर अधिनियम, 1961 (उक्त अधिनियम) की धारा ३५ की उपधारा (1) के खंड (ii) के प्रयोगनार्थ दिनांक 1-४-२००५ में संगठन सोसायटी फार हेल्प एलाइंड रिसर्च एंड एजूकेशन, इंडिया (एसएचएआर ई-इंडिया), हैदराबाद को निम्नलिखित शर्तों के अधीन अंशिक रूप से अनुसंधान कार्यकलापों में लगी 'वैज्ञानिक अनुसंधान संघ' की श्रेणी में अनुमोदित किया गया है, अर्थातः—

- (i) अनुमोदित 'वैज्ञानिक अनुसंधान संघ' का एक मात्र उद्देश्य 'वैज्ञानिक अनुसंधान करना होगा;
 - (ii) अनुमोदित संगठन स्वयं वैज्ञानिक अनुसंधान कार्य-कलाप नहीं रखेगा;
 - (iii) अनुमोदित संगठन बही-खाता रखेगा तथा उक्त अधिनियम की धारा 288 की उप धारा (2) के स्पष्टीकरण में यथा परिभाषित किसी लेखाकार से अपनी खाता-बही की लेखा परीक्षा कराएगा और उक्त अधिनियम की धारा 139 की उपधारा (1) के अंतर्गत आय विवरणी प्रस्तुत करने की नियत तिथि तक ऐसे लेखाकार द्वारा विधिवत सत्यापित एवं हस्ताक्षरित लेखा परीक्षा रिपोर्ट मामले में क्षत्राधिकार रखने वाले आयकर आयुक्त अथवा आयकर निदेशक को प्रस्तुत करेगा।
 - (iv) अनुमोदित संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त दान एवं प्रयुक्त राशि का अलग विवरण रखेगा और उपर्युक्त लेखा परीक्षा रिपोर्ट के साथ लेखा परीक्षक द्वारा विधिवत सत्यापित विवरण की प्रति प्रस्तुत करेगा।
2. केंद्र सरकार यह अनुमोदन वापिस ले लेगी यदि अनुमोदित संगठन :—
- (क) पराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित लेखा बही नहीं रखेगा; अथवा
 - (ख) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित अपनी लेखा परीक्षा रिपोर्ट प्रस्तुत नहीं करेगा; अथवा
 - (ग) पैराग्राफ 1 के उप-पैराग्राफ (iv) में उल्लिखित वैज्ञानिक अनुसंधान के लिए प्राप्त दान एवं प्रयुक्त राशि का अपना विवरण प्रस्तुत नहीं करेगा; अथवा
 - (घ) अपना अनुसंधान कार्य कलाप करना बंद कर देगा अथवा इसके अनुसंधान कार्य कलाप को जायज नहीं पाया जाएगा; अथवा
 - (ङ) उक्त नियमावली के नियम ५ ग और ५ घ के साथ पठित उद्देश्य अधिनियम की धारा 35 की उपधारा (1) के खंड (ii) के प्रावधानों के अनुरूप नहीं होगा तथा उनका पालन नहीं करेगा।

[अधिकृत नं. ७९/२००८ फा. सं. २०३/११०/२००७-आ. क. नि.-II]

सुरेन्द्र पाल, अवर सचिव

(Central Board of Direct Taxes)

New Delhi, the 18th July, 2008

S.O.1940.—It is hereby notified for general information that the organization Society for Health Allied Research and Education, India (Share-India) Hyderabad, has been approved by the Central Government for the purpose of clause (i) of sub- Section (1) of section 35 of the Income-tax Act, 1961 (said Act), read with Rules 5 C and 5 D of the Income-tax Rules, 1962 (said Rules), with effect from 1.4.2005 in the category of 'scientific research association' subject to the following conditions, namely :-

- (i) The sole objective of the approved 'scientific research association' shall be to undertake scientific research;
 - (ii) The approved organization shall carry out scientific research activity by itself;
 - (iii) The approved organization shall maintain books of accounts and get such books audited by an accountant as defined in the explanation to sub-section (2) of Section 288 of the said Act and furnish the report of such audit duly signed and verified by such accountant to the Commissioner of Income-tax or the Director of Income-tax having jurisdiction over the case, by the due date of furnishing the return of income under sub-section (1) of section 139 of the said Act;
 - (iv) The approved organization shall maintain a separate statement of donations received and amounts applied for scientific research and a copy of such statement duly certified by the auditor shall accompany the report of audit referred to above.
2. The Central Government shall withdraw the approval if the approved organization :—
- (a) fails to maintain books of accounts referred to in sub-paragraph (iii) of paragraph 1; or
 - (b) fails to furnish its audit report referred to in sub-paragraph (iii) of paragraph 1; or
 - (c) fails to furnish its statement of donations received and amounts applied for scientific research referred to in sub- paragraph (iv) of paragraph 1; or
 - (d) ceases to carry on its research activities or its research activities are not found to be genuine; or
 - (e) ceases to conform to and comply with the provisions of clause (ii) of sub-section (1) of section 35 of the said Act read with rules 5C and 5D of the said Rules.

[Notification No. 79/2008 F.No.203/110/2007/ITA-II]

SURENDER PAL, Under Secy.

नई दिल्ली, 21 जुलाई, 2008

का, आ, 1941.—सर्वसाधारण की जानकारी के लिए इतद्वाया यह अधिसूचित किया जाता है कि केन्द्र सरकार द्वारा आयकर नियमावली, 1962 (उक्त नियमावली) के नियम 5 ग और 5ज के साथ पठित आयकर अधिनियम, 1961 (उक्त अधिनियम) की धारा 35 की उपधारा (1) के खंड (ii) के प्रयोगनार्थ दिनांक 1-4-2005 से संगठन इलादेवी केटेरेक्ट एंड इन्ड्राकुलर लैन्स रिसर्च सेंटर, अहमदाबाद, गुजरात को निम्नलिखित शर्तों के अधीन आंशिक रूप से अनुसंधान कार्यकलापों में लगी 'अन्य संस्था' की श्रेणी में अनुमोदित किया गया है, अर्थात्:-

- (i) अनुमोदित संगठन को संदत्त राशि का उपयोग वैज्ञानिक अनुसंधान के लिए किया जाएगा;
 - (ii) अनुमोदित संगठन अपने संकाय सदस्यों अथवा नामांकित विद्यार्थियों के माध्यम से वैज्ञानिक अनुसंधान जारी रखेगा;
 - (iii) अनुमोदित संगठन बही-खाता रखेगा तथा उक्त अधिनियम की धारा 288 की उपधारा (2) के स्पष्टीकरण में यथा परिभाषित किसी लेखाकार से अपनी खाता-बही की लेखा परीक्षा कराएगा और उक्त अधिनियम की धारा 139 की उपधारा (1) के अंतर्गत आय विवरणी प्रस्तुत करने की नियत तिथि तक ऐसे लेखाकार द्वारा विधिवत् सत्यापित एवं हस्ताक्षरित लेखा परीक्षा रिपोर्ट मामले में क्षेत्राधिकार रखने वाले आयकर आयुक्त अथवा आयकर निदेशक को प्रस्तुत करेगा;
 - (iv) अनुमोदित संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त दान तथा प्रयुक्त राशि का अलग विवरण रखेगा और उपर्युक्त लेखा परीक्षा रिपोर्ट के साथ लेखा परीक्षक द्वारा विधिवत् सत्यापित विवरण की प्रति प्रस्तुत करेगा।
2. केन्द्र सरकार यह अनुमोदन वापिस ले लेगी यदि अनुमोदित संगठन :-
- (क) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित लेखा बही नहीं रखेगा; अथवा
 - (ख) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित अपनी लेखा परीक्षा रिपोर्ट प्रस्तुत नहीं करेगा; अथवा
 - (ग) पैराग्राफ 1 के उप-पैराग्राफ (iv) में उल्लिखित वैज्ञानिक अनुसंधान के लिए प्राप्त दान एवं प्रयुक्त राशि का अपना विवरण प्रस्तुत नहीं करेगा; अथवा
 - (घ) अपना अनुसंधान कार्य कलाप करना बंद कर देगा अथवा इसके अनुसंधान कार्य कलाप को जायज नहीं पाया जाएगा ; अथवा
 - (ङ) उक्त नियमावली के नियम 5 ग और 5ज के साथ पठित उक्त अधिनियम की धारा 35 की उपधारा (1) के खंड (ii) के प्रावधानों के अनुरूप नहीं होगा तथा उनका पालन नहीं करेगा।

[अधिसूचना सं. 81/2008/फा.सं./203/64/2008-आ.क.नि.-II]

सुरेन्द्र पाल, अवर सचिव

New Delhi, the 21st July, 2008

S.O. 1941.—It is hereby notified for general information that the organization Iladevi Cataract & Intraocular Lens Research Centre, Ahmedabad, Gujarat, has been approved by the Central Government for the purpose of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 (said Act), read with Rules 5C and 5E of the Income-tax Rules, 1962 (said Rule), with effect from 1-4-2005 in the category of 'Other Institution', partly engaged in research activities subject to the following conditions, namely :-

- (i) The sums paid to the approved organization shall be utilized for scientific research ;
 - (ii) The approved organization shall carry out scientific research through its faculty members or its enrolled students ;
 - (iii) The approved organization shall maintain separate books of accounts in respect of the sums received by it for scientific research, reflect therein the amounts used for carrying out research, get such books audited by an accountant as defined in the explanation to sub-section (2) of Section 288 of the said Act and furnish the report of such audit duly signed and verified by such accountant to the Commissioner of Income-tax or the Director of Income-tax having jurisdiction over the case, by the due date of furnishing the return of income under sub-section (1) of Section 139 of the said Act ;
 - (iv) The approved organization shall maintain a separate statement of donations received and amounts applied for scientific research and a copy of such statement duly certified by the auditor shall accompany the report of audit referred to above.
2. The Central Government shall withdraw the approval if the approved organization :-
- (a) fails to maintain separate books of accounts referred to in sub-paragraph (iii) of paragraph 1; or
 - (b) fails to furnish its audit report referred to in sub-paragraph (iii) of paragraph 1; or
 - (c) fails to furnish its statement of the donations received and sums applied for scientific research referred to in sub- paragraph (iv) of paragraph 1; or
 - (d) ceases to carry on its research activities or its research activities are not found to be genuine ; or

- (e) ceases to conform to and comply with the provisions of clause (ii) of sub-section (1) of Section 35 of the said Act read with rules 5C and 5E of the said Rules.

[Notification No. 81/2008/F.No. 203/64/2008/ITA-II]

SURRENDER PAL, Under Secy.

नई दिल्ली, 21 जुलाई, 2008

का. आ. 1942.—सर्वसाधारण की जानकारी के लिए एतद्वारा यह अधिसूचित किया जाता है कि केन्द्र सरकार द्वारा आयकर नियमावली, 1962 (उक्त नियमावली) के नियम 5ग और 5ड के साथ चार्टित आयकर अधिनियम, 1961 (उक्त अधिनियम) की धारा 35 की उपधारा (1) के खंड (ii) के प्रयोजनार्थ दिनांक 1-4-2005 से संगठन हस्तीमल संचेती मैमोरियल ट्रस्ट, पुणे को निम्नलिखित शर्तों के अधीन आंशिक रूप से अनुसंधान कार्यकलापों में लगी 'अन्य संस्था' की श्रेणी में अनुमोदित किया गया है, नामतः—

- (i) अनुमोदित संगठन को संदर्भ राशि का उपयोग वैज्ञानिक अनुसंधान के लिए किया जाएगा;
 - (ii) अनुमोदित संगठन अपने संकाय सदस्यों अथवा इसके नामांकित छात्रों के माध्यम से वैज्ञानिक अनुसंधान जारी रखेगा;
 - (iii) अनुमोदित संगठन वैज्ञानिक अनुसंधान के लिए इसके द्वारा प्राप्त राशि के संबंध में अलग खाता बही रखेगा जिसमें अनुसंधान करने के लिए प्रयुक्त राशि दर्शाई गई हो, उक्त अधिनियम की धारा 288 की उप धारा (2) के स्पष्टीकरण में यथा परिभाषित किसी लेखाकार से ऐसी खाता-बही की लेखा-बही की लेखा परीक्षा कराएगा और उक्त अधिनियम की धारा 139 की उपधारा (1) के अंतर्गत आय की विवरणी प्रस्तुत करने की नियत तिथि तक ऐसे लेखाकार द्वारा विधिवत् सत्यापित एवं हस्ताक्षरित लेखा परीक्षा रिपोर्ट मामले में क्षेत्राधिकार रखने वाले आयकर आयुक्त अथवा आयकर निदेशक को प्रस्तुत करेगा।
 - (iv) अनुमोदित संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त दान तथा प्रयुक्त राशि का अलग विवरण रखेगा और उपर्युक्त लेखा परीक्षा रिपोर्ट के साथ लेखा परीक्षक द्वारा विधिवत् सत्यापित विवरण की प्रति प्रस्तुत करेगा।
2. केन्द्र सरकार यह अनुमोदन वापिस ले लेगी यदि अनुमोदित संगठन :
- (क) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित अलग लेखा बही नहीं रखेगा; अथवा
 - (ख) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित अपनी लेखा परीक्षा रिपोर्ट प्रस्तुत नहीं करेगा; अथवा
 - (ग) पैराग्राफ 1 के उप-पैराग्राफ (iv) में उल्लिखित वैज्ञानिक अनुसंधान के लिए प्राप्त दान एवं प्रयुक्त राशि का अपना विवरण प्रस्तुत नहीं करेगा; अथवा

(घ) अपना अनुसंधान कार्य कलाप करना बंद कर देगा अथवा इसके अनुसंधान कार्य कलाप को जायज नहीं पाया जाएगा ; अथवा

(ङ) उक्त नियमावली के नियम 5 ग और 5ड के साथ पठित उक्त अधिनियम की धारा 35 की उपधारा (1) के खंड(ii)के उपबंधों के अनुरूप नहीं होगा तथा उनका पालन नहीं करेगा ।

[अधिसूचना सं. 80/2008/फा. सं. 203/127/2007-आ.क.नि.-II]

सुरेन्द्र पाल, अवर सचिव

New Delhi, the 21st July, 2008

S.O. 1942.—It is hereby notified for general information that the organization Hastimal Sancheti Memorial Trust, Pune, has been approved by the Central Government for the purpose of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 (said Act), read with Rules 5C and 5E of the Income-tax Rules, 1962 (said Rule), with effect from 1-4-2005 in the category of 'Other Institution', partly engaged in research activities subject to the following conditions, namely :—

- (i) The sums paid to the approved organization shall be utilized for scientific research ;
- (ii) The approved organization shall carry out scientific research through its faculty members or its enrolled students ;
- (iii) The approved organization shall maintain separate books of accounts in respect of the sums received by it for scientific research, reflect therein the amounts used for carrying out research, get such books audited by an accountant as defined in the explanation to sub-section (2) of Section 288 of the said Act and furnish the report of such audit duly signed and verified by such accountant to the Commissioner of Income-tax or the Director of Income-tax having jurisdiction over the case, by the due date of furnishing the return of income under sub-section (1) of Section 139 of the said Act ;
- (iv) The approved organization shall maintain a separate statement of donations received and amounts applied for scientific research and a copy of such statement duly certified by the auditor shall accompany the report of audit referred to above.

2. The Central Government shall withdraw the approval if the approved organization :—

- (a) fails to maintain separate books of accounts referred to in sub-paragraph (iii) of paragraph 1; or

- (b) fails to furnish its audit report referred to in sub-paragraph (iii) of paragraph 1; or
- (c) fails to furnish its statement of the donations received and sums applied for scientific research referred to in sub-paragraph (iv) of paragraph 1; or
- (d) ceases to carry on its research activities or its research activities are not found to be genuine ; or
- (e) ceases to conform to and comply with the provisions of clause (ii) of sub-section (1) of Section 35 of the said Act read with rules 5C and 5E of the said Rules.

[Notification No. 80/2008 /F. No. 203/127/2007/ITA-II]

SURENDER PAL, Under Secy.

अन्तरिक्ष विभाग

बैंगलूर, 14 जुलाई, 2008

का.आ. 1943.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उपनियम (4) के अनुसरण में एतद्वारा अन्तरिक्ष विभाग के अधीन भारत सरकार की कम्पनी एन्ट्रिक्स कापोरेशन लिमिटेड, बैंगलूर को अधिसूचित करती है, जिसके 80 प्रतिशत से अधिक कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है।

[सं. 8/1/6/2008-H.]

के. एस. रामचन्द्र, उप सचिव

DEPARTMENT OF SPACE

Bangalore, the 14th July, 2008

S.O. 1943.—In pursuance of sub-rule (4) of the Rule 10 of the Official Language (Use for Official purpose of the Union) Rules, 1976, the Central Government, hereby notifies ANTRIX CORPORATION LTD., Bangalore, a Government of India Company under Department of Space where more than 80 per cent staff have acquired the working knowledge of Hindi.

[No. 8/1/6/2008-H.]

K. S. RAMACHANDRA, Dy. Secy.

सूक्ष्म, लघु और मध्यम उद्यम मंत्रालय

नई दिल्ली, 16 जुलाई, 2008

का.आ. 1944.—केन्द्रीय सरकार राजभाषा नियम, 1976 के (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम 10 के उपनियम (4) के अनुसरण में, सूक्ष्म, लघु और मध्यम उद्यम मंत्रालय के नियंत्रणाधीन विकास आयुक्त (सूक्ष्म, लघु और मध्यम उद्यम) के

निम्नलिखित कार्यालय में हिन्दी का कार्यसाधक ज्ञान रखने वाले कर्मचारियों की संख्या 80% से अधिक हो जाने के फलस्वरूप उन्हें एतद्वारा अधिसूचित करती है :

१. सूक्ष्म, लघु और मध्यम उद्यम विकास संस्थान, खाम बंगला, कालाङ्गी रोड, हल्द्वानी, नैनीताल (उत्तराखण्ड)-263139।

[सं.-ई-12016/01/2005-हिन्दी]

प्रवीर कुमार, संयुक्त सचिव

MINISTRY OF MICRO SMALL AND MEDIUM ENTERPRISES

New Delhi, the 16th July, 2008

S.O. 1944.—In pursuance of sub rule (4) of Rule 10 of the Official Languages (Use for Official Purposes of the Union) Rules, 1976 the Central Government hereby notifies the following office of the Development Commissioner (MSME) under control of the Ministry of MSME, where the percentage of Hindi Knowing staff has gone above 80%:

1. Micro, Small and Medium Enterprises Development Institute, Kham Bangla, Kaladungi Road, Haldwani, Nainital (Uttarakhand)-263139.

[No. E-12016/01/2005 -Hindi]

PRAVIR KUMAR, Jt. Secy.

विदेश मंत्रालय

(सी.पी.बी. प्रभाग)

नई दिल्ली, 16 जुलाई, 2008

का.आ. 1945.—राजनयिक कौसली अधिकारी (शपथ एवं शुल्क) अधिनियम, 1948 (1948 का 41वां) व 2 के अंक (क) के अनुसरण में केन्द्रीय सरकार एतद्वारा भारत का राजदूतावास, बागदाद में श्री राजेन्द्र सिंह राणा, सहायक को 16-7-2008 से सहायक कौसली अधिकारी का कार्य करने हेतु प्राधिकृत करती है।

[सं. टी-4330/01/2006]

प्रीतम लाल, अवर सचिव (कौसल)

MINISTRY OF EXTERNAL AFFAIRS

(C.P.V. DIVISION)

New Delhi, the 16th July 2008

S.O. 1945.—In pursuance of the clause (ii) of the Section 2 of the Diplomatic and Consular Officers (Oaths and fees) Act, 1948, the Central Government hereby authorize Shri Rajender Singh Rana, Assistant to perform the duties of Assistant Consular Officer in the Embassy of India, Baghdad with effect from 16th July 2008.

[No. T. 4330/1/2006]

PRITAM LAL, Under Secy. (Consular)

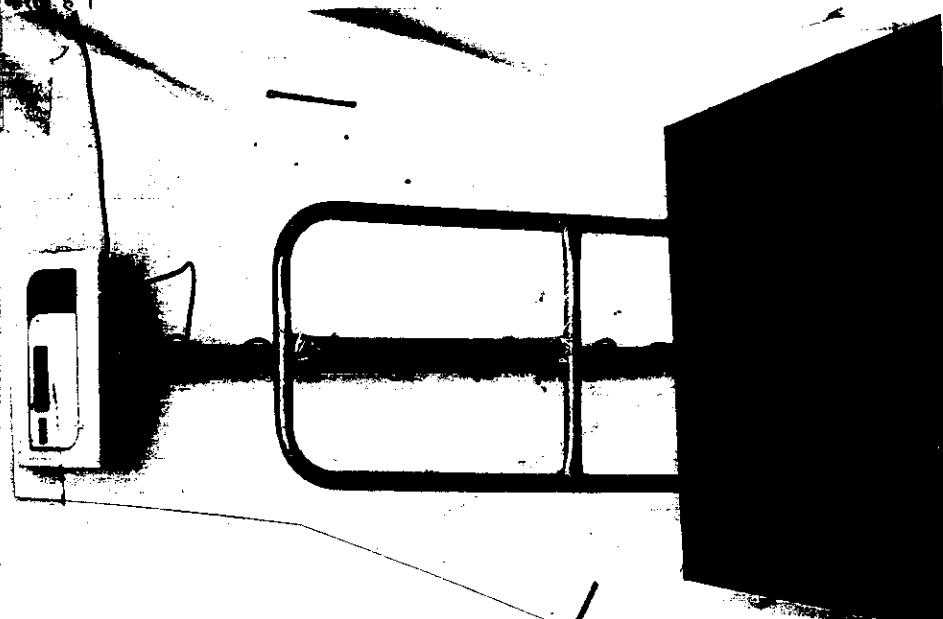
उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय

(उपभोक्ता मामले विभाग)

नई दिल्ली, 26 फरवरी, 2008

का.आ. 1946.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों को प्रयोग करते हुए मैसर्स माइक्रोसिस इंडिया, डी/16, कालंदी गेट, करनाल -132 001, हरियाणा द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले “एम आई पी” शृंखला के स्वतः अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम “माइक्रोसिस” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/07/215 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करता है।



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. है और अन्यूनतम क्षमता 2 कि. ग्रा. है। इसका सत्यापन मापमान अंतराल (ई)100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका इस प्रतिशत व्यक्तिगत्वात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपर्युक्त करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टॉरेज प्लेट के मुदांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिसमें उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही भेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जैसे या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. से अधिक और 5000 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^4 , 2×10^4 या 5×10^4 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या इनके समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(101)/2007]

आर. माधुरबूधम, निदेशक, विधिक माप विज्ञान

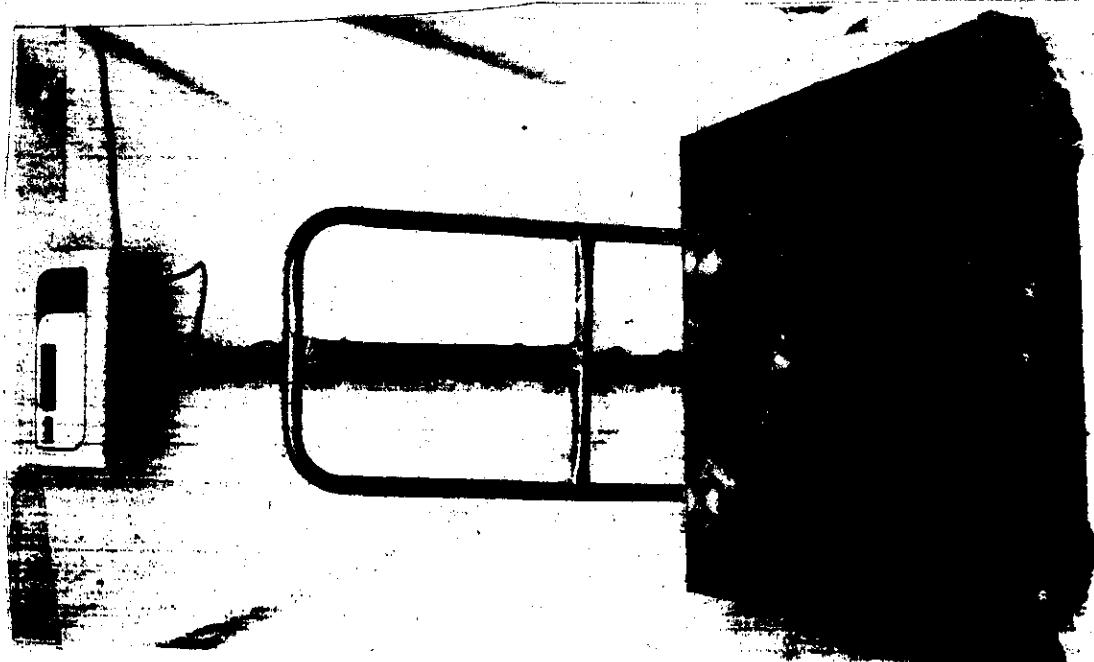
MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION

(Department of Consumer Affairs)

New Delhi, the 26th February, 2008

S.O. 1946.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of the self indicating, non-automatic (Platform type) weighing instrument with digital indication of "MIP" series of medium accuracy (accuracy class-III) and with brand name "MYCOSYS" (herein referred to as the said model), manufactured by M/s. Mycosys India, D/16, Kalandri Gate, Karnal-132 001, Haryana and which is assigned the approval mark IND/09/07/215;



The said model is a strain gauge type load cell based non-automatic weighing instrument with a maximum capacity of 1000 kg. and minimum capacity of 2 kg. The verification scale interval (e) is 100 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of same series with maximum capacity above 50 kg. and up to 5,000 kg. and with number of verification scale interval (n) in the range of 500 to 10,000 for ' e ' value of 5 g. or more and with ' e ' value of 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (101)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 26 फरवरी, 2008

का.आ. 1947.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स माइक्रोसिस इंडिया, डी/16, कालांग्री गेट, करनाल -132 001, हरियाणा द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग II) वाले “एम आई टी” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम “माइक्रोसिस” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/07/214 समनुरेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है;



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित (टेबलटाप प्रकार) का तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि.ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसकी शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टार्पिंग स्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बिङ्गी से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के बैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक के “ई” मान के लिए 100 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के “ई” मान के लिए 5,000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^8 , 2×10^8 या 5×10^8 , के हैं, जो धनात्मक या क्रहणात्मक पूणीक या शून्य के समनुरूप हैं।

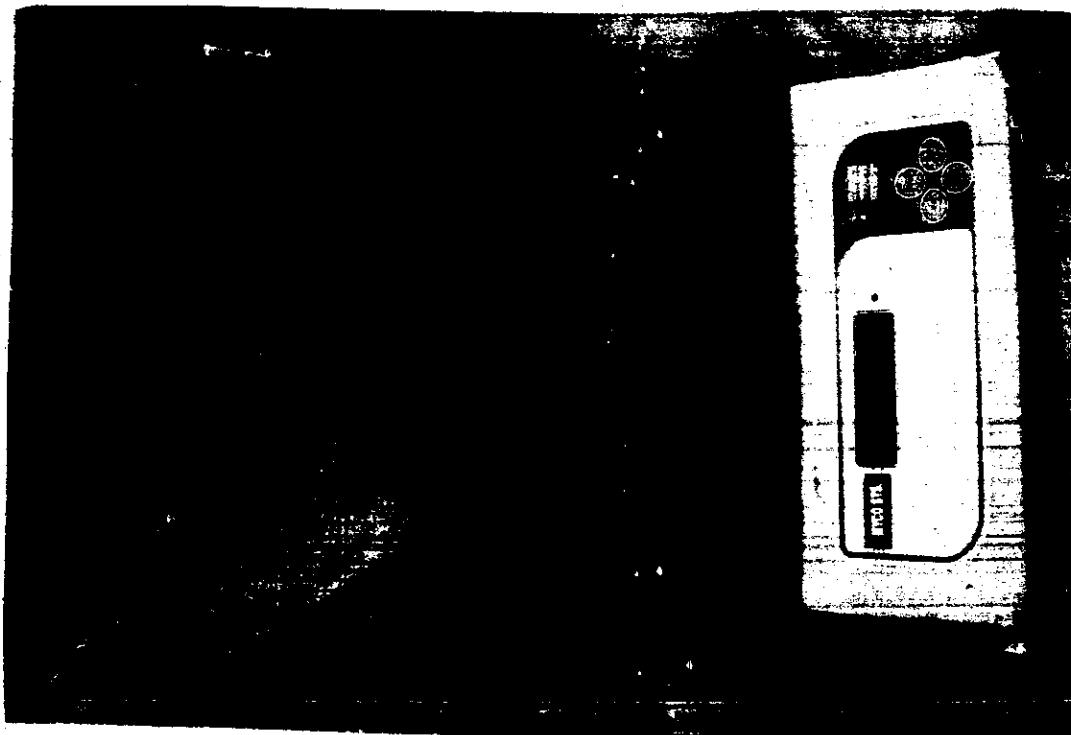
[फा. सं. डब्ल्यू एम-21(101)/2007]

आर. माधुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 26th February, 2008

S.O. 1947.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Tabletop type) with digital indication of "MIT" series of high accuracy (Accuracy class-II) and with brand name "MYCOSYS" (herein referred to as the said model), manufactured by M/s. Mycosys India, D/16, Kalandri Gate, Karnal-132 001, Haryana and which is assigned the approval mark IND/09/07/214;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Tabletop type) with a maximum capacity of 30 kg. and minimum capacity of 100 g. The verification scale interval (e) is 2 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be charged in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, and performance of same series with maximum capacity up to 50 kg. and with number of verification scale interval (n) in the range of 100 to 50,000 for ' e ' value of 1 mg. to 50 mg. and with number of verification scale interval (n) in the range of 5,000 to 50,000 for ' e ' value of 100 mg. or more and with ' e ' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

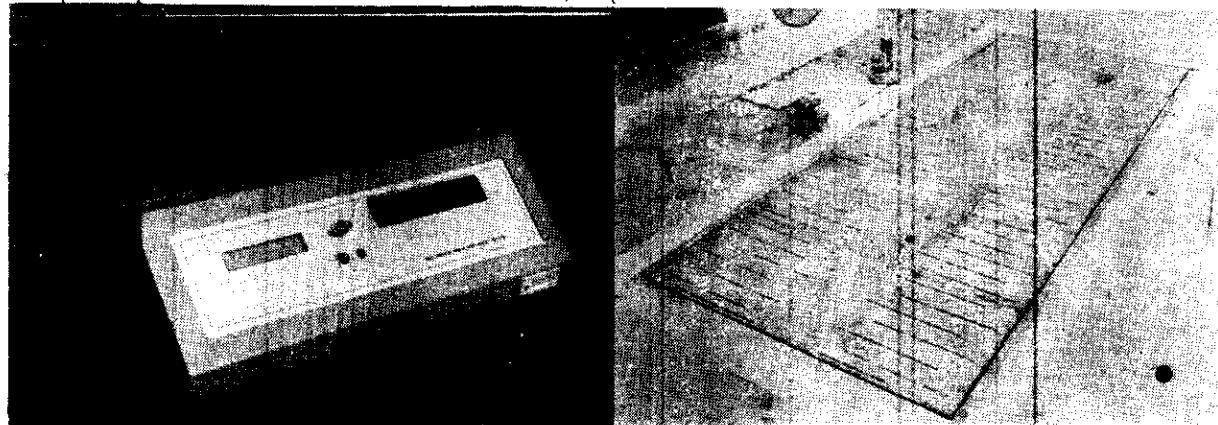
[F. No. WM-21 (101)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 29 फरवरी, 2008

का.आ. 1948.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा शक्तियों को प्रयोग करते हुए मैसर्स मैट वे इंडिया प्रा. लि., डी नं. 1-3-41/2, स्ट्रीट नं. 5, हैदराबाद - 500 007 द्वारा विनिर्मित यथार्थता (यथार्थता वर्ग III) वाले "मैट वे" शृंखला के स्वतः सूचक, अस्वचालित, अंकक सूचन सहित तोलन उपकरण (मल्टी लोड सैल टाइप इलैक्ट्रोनिक बेब्रिज) के मॉडल का, जिसके ब्रांड का नाम "आकाश -ई डब्ल्यू बी" है (जिसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/07/372 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।



उक्त मॉडल मल्टी लोड सैल आधारित बेब्रिज प्रकार का तोलन उपकरण है। इसकी अधिकतम क्षमता 50 टन है और न्यूनतम क्षमता 200 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 10 कि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) तोलन परिणाम उपर्युक्त करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदायन पर कार्य करता है।

स्टारिंग प्लेट को सील के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोले जाने-से रोकने के लिए भी सीलबंध किया जाएगा तथा मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा। मॉडल के सीलिंग प्रावधान का विशिष्ट स्कीम डायग्राम ऊपर दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माण द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 टन से अधिक और 150 टन तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^k , 2×10^k अथवा 5×10^k , के हैं, जहां पर 'के' धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

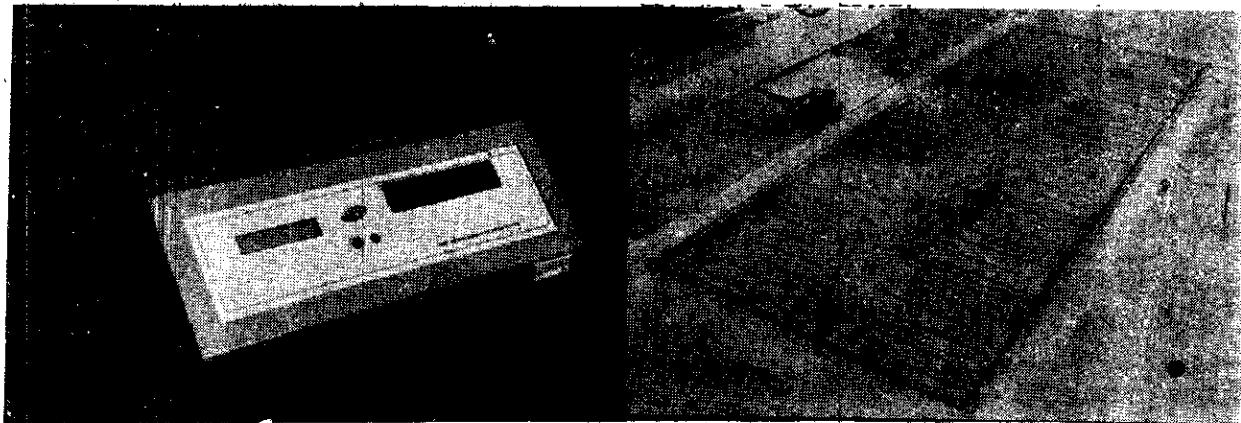
[फा. सं. डब्ल्यू एम-21(182)/2007]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 29th February, 2008

S.O. 1948.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of the self indicating, non-automatic (multi load cell type electronic weighbridge) weighing instrument with digital indication of "MET WEIGH" series of medium accuracy (Accuracy class-III) and with brand name "AKASH-EWB" (herein referred to as the said model), manufactured by M/s. Met Weigh India Pvt. Ltd., D. No. 1-3-41/2, Street No. 5, Habsiguda, Hyderabad- 500 007 and which is assigned the approval mark IND/09/07/372;



The said model is a strain gauge type load cells based non-automatic weighing instrument with a maximum capacity of 50 tonne and minimum capacity of 200 kg. The verification scale interval (e) is 10kg. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be charged in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, and performance of same series with maximum capacity above 5 tonne and up to 150 tonne and with number of verification scale interval (n) in the range of 500 to 10,000 for ' e ' value of 5g. or more and with ' e ' 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

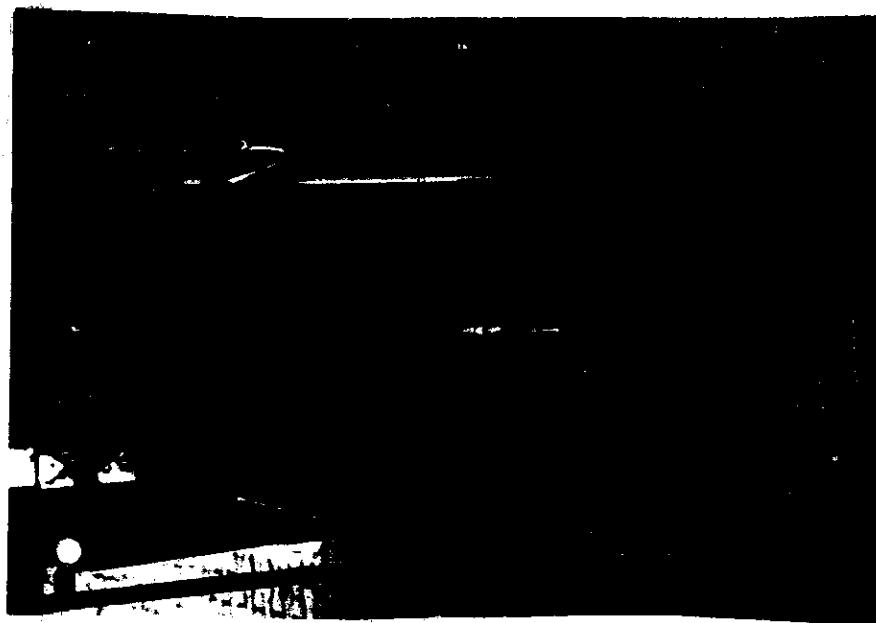
[F. No. WM-21(182)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 29 फरवरी, 2008

का.आ. 1949.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रसुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाएँ रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों को प्रयोग करते हुए मैसर्ज सारटोरियस मेकाट्रोनिक्स इंडिया प्रा. लि., 10, थर्ड फैज, पीन्या, छठा मैन, के आई ए डी बी इंडस्ट्रीयल एरिया, बंगलौर -560058 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग I) वाले “एम ई” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण के मॉडल का, जिसके ब्रांड का नाम “सारटोरियस” है (जिसे इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/07/ समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है;



उक्त मॉडल एक इलैक्ट्रो मैग्नेटिक फोर्स कम्पेन्सेशन प्रिंसीपल पर आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 230 ग्रा. है और न्यूनतम क्षमता 100 मि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 1 मि. ग्रा. है। उपकरण की रेडिएबिलिटी (डी) 6.01 मि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यक्तिनामक धारित आधेयतुलन प्रभाव है। लिकिंड क्रिस्टल डायोड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 बोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टॉपिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और माडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माण द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के ऐसे ही मैक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा. या उससे अधिक के “ई” मान के लिए 50,000 तक ज्यादा रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 क्ल. ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^8 , 2×10^8 या 5×10^8 , के हैं, जो धनात्मक या ऋणात्मक पूर्णक या शून्य के समतुल्य हैं।

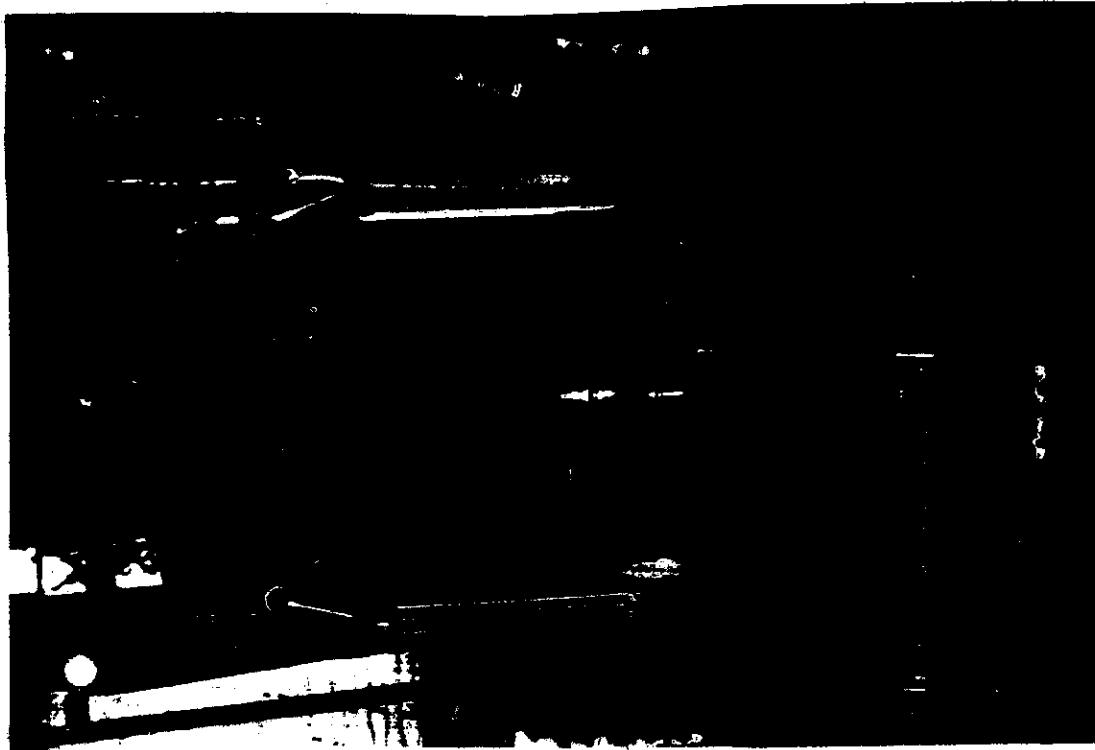
[फा. सं. डब्ल्यू एम-21(1169)/2007]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 29th February, 2008

S.O. 1949.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument with digital indication of "ME" series of special accuracy (Accuracy class-I) and with brand name "SARTORIUS" (herein referred to as the said model), manufactured by M/s. Sartorius Mechatronics India Private Limited, 10, 3rd Phase, Peenya, 6th Main, KIADB Industrial Area, Bangalore -560 058 and which is assigned the approval mark IND/09/07/



The said model is an Electro Magnetic Force Compensation Principle based non-automatic weighing instrument with a maximum capacity of 230 g and minimum capacity of 100 mg. The verification scale interval (*e*) is 1 mg. The readability of the instrument (*d*) is 0.01mg. It has a tare device with a 100 per cent subtractive retained tare effect. The Liquid Crystal Diode (LCD) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg and with number of verification scale interval (*n*) equal to or more than 50,000 for '*e*' value of 1mg or more and with '*e*' 1×10^k , 2×10^k or 5×10^k , *k* being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design accuracy and with the same materials with which, the said approved model has been manufactured.

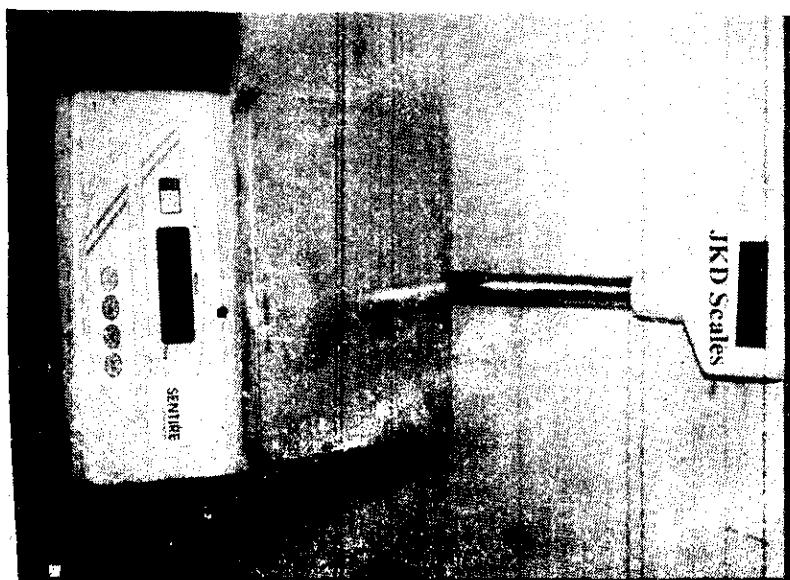
[F. No. WM-21 (169)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 5 मार्च, 2008

का.आ. 1950.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों को प्रयोग करते हुए मैसर्स सेनेटर टैक्नॉलोजीज, बी-202, साम्राज्य अपार्टमेंट, सबरी स्कूल के सामने, वसना रोड, बड़ोदा -390 007 द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग II) वाले “एम टी जे” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टाप प्रकार) के मॉडल का, जिसके ब्राइड का नाम “जे के डी” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/07/169 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करता है।



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित (टेबल टाप प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि.ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। इसका सत्यापन मापमान अंतराल (ई)2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शर्त प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टॉपिंग स्लोट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्ड भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, योथार्थता, डिजाइन, सर्किट डायग्राम, निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के बैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा. से 50 मि. ग्रा. तक के “ई” मान के लिए 100 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या इससे अधिक के “ई” मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. की अधिकतम क्षमता भले हैं और “ई” मान 1×10^8 , 2×10^8 या 5×10^8 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

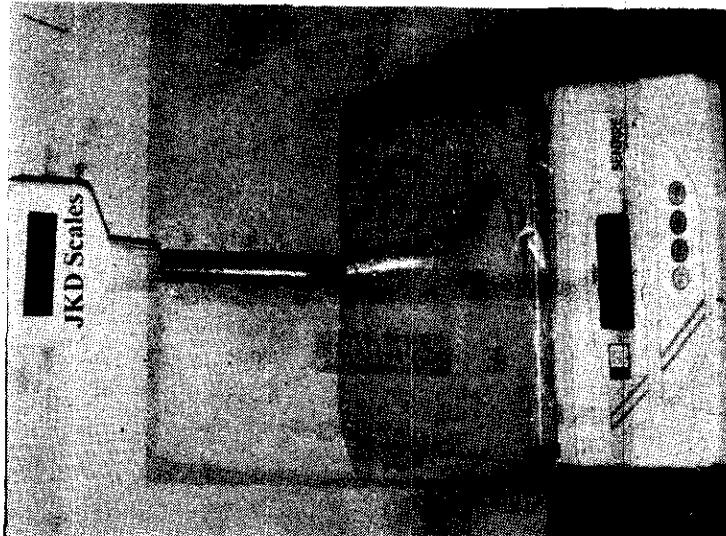
[फा. सं. डब्ल्यू एम-21(77)/2007]

आर. माधुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 5th March, 2008

S.O. 1950.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic (Tabletop type) weighing instrument with digital indication of "STJ" series of medium accuracy (accuracy class-II) and with brand name "JKD" (herein referred to as the said model), manufactured by M/s. Sentire Technologies, B- 202, Samarajya Apartment, Opp. Sabri School, Vasna Road, Baroda-390007 and which is assigned the approval mark IND/09/07/168 ;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Tabletop type) with a maximum capacity of 30kg. and minimum capacity of 100g. The verification scale interval (e) is 2g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make and performance of same series with maximum capacity up to 50 kg and with number of verification scale interval (n) in the range of 100 to 50,000 for ' e ' value of 1 mg to 50 mg and with number of verification scale interval (n) in the range of 5000 to 50,000 for ' e ' value of 100 mg or more and with ' e ' value of 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

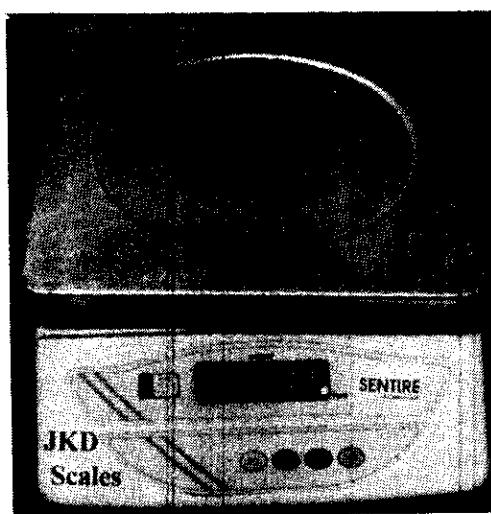
[F. No. WM-21(77)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 5 मार्च, 2008

का.आ. 1951.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपर्युक्तों के अनुरूप है और इस बाट की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों को प्रयोग करते हुए मैसर्स सेनेक्यर टैक्नॉलोजीज, बी-202, साम्राज्य अपार्टमेंट, सबरी स्कूल के सामने, वसना रोड, बड़ोदा - 390 007 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता भर्ग III) वाले “एस टी टी” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके डिस्के ड्राइंग का नाम “जे के डी” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/07/168 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित (टेबल टॉप प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि.ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। इसका सत्यापन मापमान अंतराल (E^{\prime}) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका रहा प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टार्टिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपट्टपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 कि. ग्रा. से 2 ग्रा. तक के “ई” मान के लिए 100 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा.या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^8 , 2×10^8 या 5×10^8 , के हैं, जहाँ पर ‘के’ धनात्मक या ऋणात्मक पूर्णक या शून्य के समतुल्य हैं।

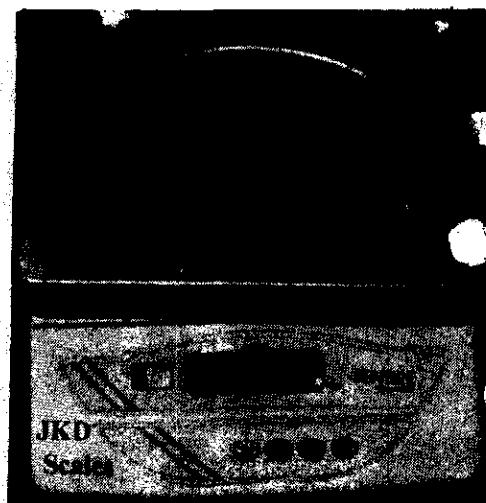
[फा. सं. डब्ल्यू एम-21(77)/2007]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 5th March, 2008

S.O. 1951.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic (Tabletop type) weighing instrument with digital indication of "STJ" series of medium accuracy (accuracy class-III) and with brand name "JKD" (herein referred to as the said model), manufactured by M/s. Sentire Technologies, B-202, Samarajya Apartment, Opp. Sabri School, Vasna Road, Baroda- 390 007 and which is assigned the approval mark IND/09/07/169;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Tabletop type) with a maximum capacity of 30kg. and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternate current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity up to 50 kg with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100mg to 2g or with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

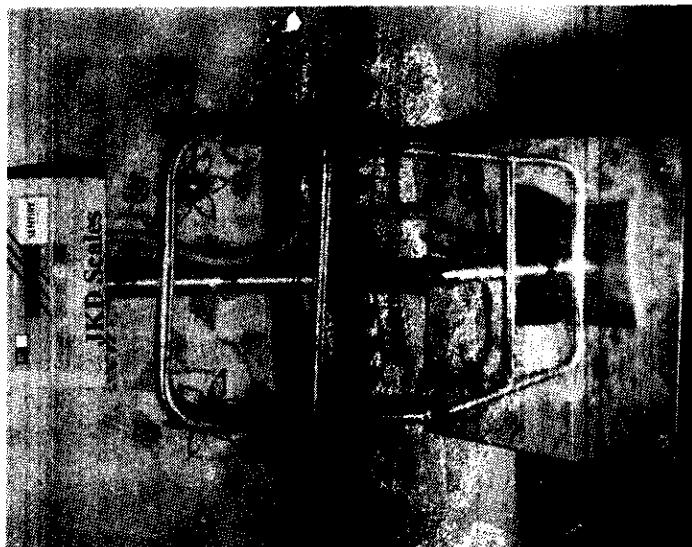
[F. No. WM-21 (77)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 5 मार्च, 2008

का.आ. 1952.—केन्द्रीय सरकार का, निहित प्रधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संधावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों को प्रयोग करते हुए मैसर्स सेनटायर टैक्नॉलॉजीज, बी-202, साम्राज्य अपार्टमेंट, सबरी स्कूल के सामने, वसना रोड, बड़ेदा -390 007 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले “एस टी टी” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके जिसके ब्रांड का नाम “जे के डी” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/07/170 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 150 कि.ग्रा. है और न्यूनतम क्षमता 400 ग्रा. है। इसका सत्यापन मापमान अंतराल (ई)20 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टारिंग प्लेट के मुद्रांकन के अंतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, संकिंच डायग्राम, निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि, उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही में, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 कि.ग्रा. उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. से अधिक और 5,000 कि. ग्रा. की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^k , 2×10^k या 5×10^k , के हैं, जहां पर ‘के’ धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

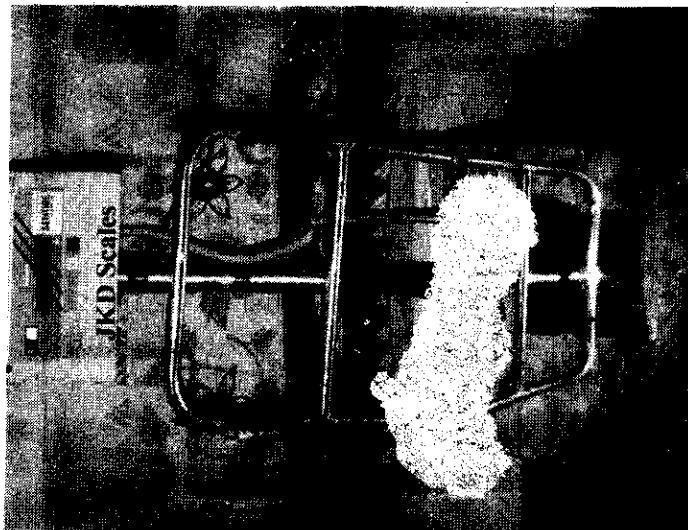
[फा. सं. डब्ल्यू एम-21(77)/2007]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 5th March, 2008

S.O. 1952.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of the self indicating (Platform type) non-automatic weighing instrument with digital indication of "STP" series of medium accuracy (accuracy class-III) and with brand name "JKD" (herein referred to as the said model), manufactured by M/s. Sentire Technologies, B- 202, Samarajya Apartment; Opp. Sabri School, Vasna Road, Baroda- 390 007 and which is assigned the approval mark IND/09/07/170;



The said model is a strain gauge type load cell based non-automatic weighing instrument with a maximum capacity of 150kg. and minimum capacity of 400g. The verification scale interval (e) is 20g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternate current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of same series with maximum capacity above 50 kg. and up to 5000 kg. and with number of verification scale interval (n) in the range of 500 to 10,000 for ' e ' value of 5g or more and with ' e ' value of 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer with the same principle, design and with the same materials with which, the said approved model has been manufactured.

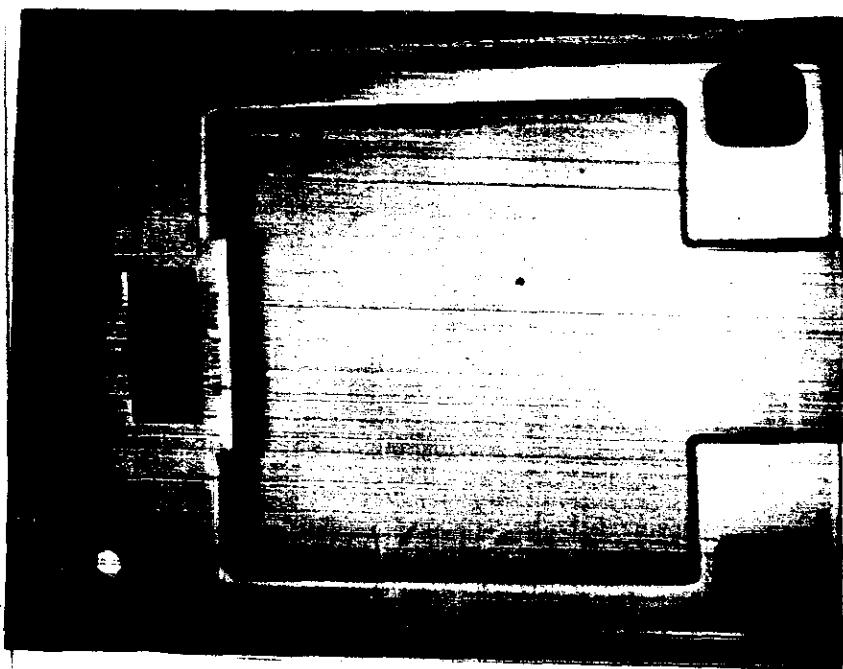
[F. No. WM-21(77)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 20 मार्च , 2008

का.आ. 1953.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्ज हाई टैक इंडिया, 12/3, सी एस एम मार्किट, एम आर ए मार्ग, मुंबई -400 001 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले “एच 1150 बी” शृंखला के अस्वचालित अंकक सूचन सहित तोलन उपकरण (व्यक्ति तोलन मशीन- बाथरूम स्केल) के मॉडल का, जिसके ब्रांड का नाम “हाई टैक” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/07/142 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित तोलन उपकरण है। इसकी अधिकतम क्षमता 150 कि.ग्रा. है और न्यूनतम क्षमता 2 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई)100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। लिक्विड क्रिस्टल डायोड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 बोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टार्पिंग एसेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 100 कि. ग्रा. से अधिक और 200 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^6 , 2×10^6 या 5×10^6 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

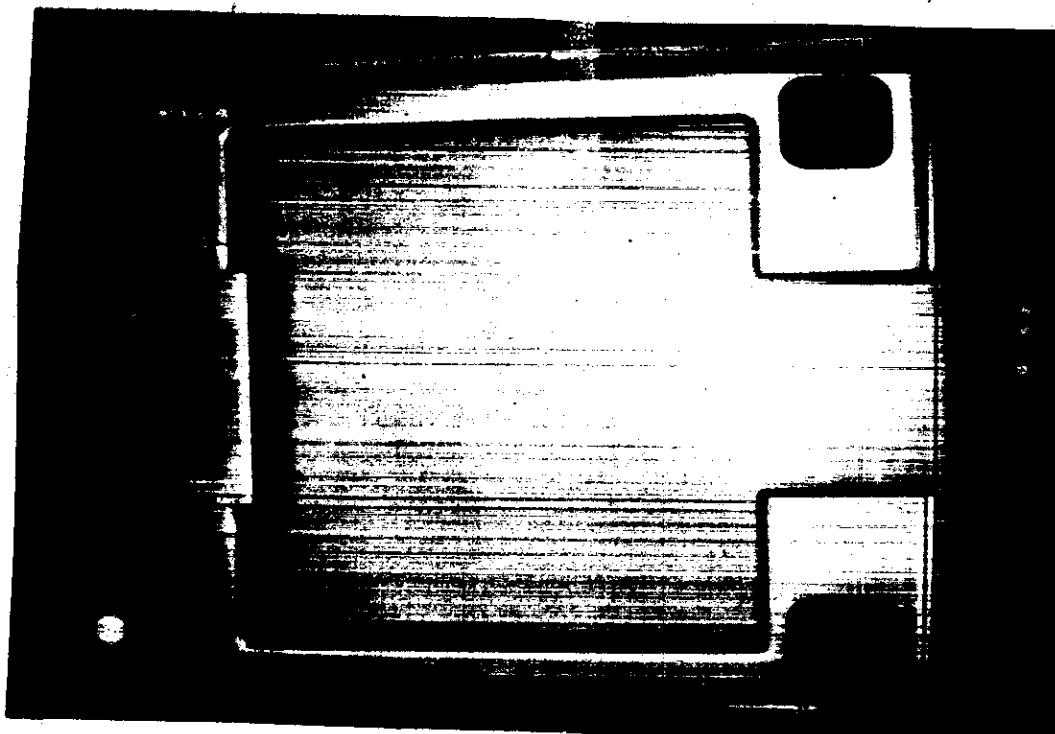
[फा. सं. डब्ल्यू एम-21(63)/2007]

आर. माधुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 20th March, 2008

S.O. 1953.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) (hereinafter referred to as the said Act) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument with digital indication (Person Weighing Machine- Bathroom Scale) of medium accuracy (accuracy class-III) belonging to 'HI 150B' series with brand name "HI TEK (herein referred to as the said model), manufactured by M/s. Hi Tek India, 12/3, CSM Market; MRA Marg, Mumbai -400 001 and which is assigned the approval mark IND/09/07/142;



The said model is a strain gauge type load cell based weighing instrument with the maximum capacity of 150kg and minimum capacity is 2kg. The verification scale interval (e) is 100g. The display is of Liquified Crystal Diode (LCD) type. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity in the range of 100kg to 200kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

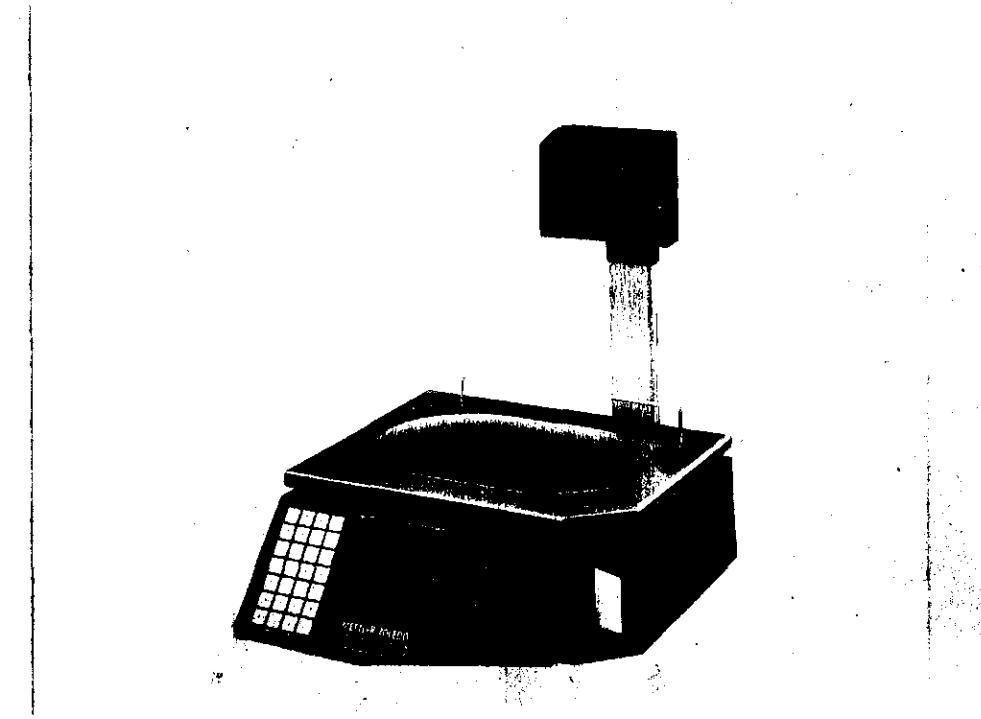
[F. No. WM-21 (63)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 3 अप्रैल, 2008

का.आ. 1954.—केन्द्रीय सरकार का, विहित प्राधिकारी एम एम आई नोवरलैंड मीरिनस्ट्रट, नोवरलैंड द्वारा जारी मॉडल अनुमोदन प्रमाण पत्र उसै प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स मैटलर टोलेडू (चैंगज़ाऊ) स्केल्स एंड सिस्टम लि., 111 चैंगज़ाऊ रोड, चैंगज़ाऊ, 213001 जियांगसू, च्यूपल रिपब्लिक आफ चाइना द्वारा विनियमित “8442 (टाइगर पी)” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम “मैटलर टोलेडू” है (जिसमें इसके पश्चात् उक्त मॉडल कहा गया है) और भारत में बिना किसी परिवर्तन या परिवर्धन के मैसर्स मैटलर टोलेडू इंडिया प्रा., लि., अमर हिल्स, साकी विहार, पोवाई, मुंबई, महाराष्ट्र द्वारा बिक्रित और जिसे अनुमोदन चिह्न आई एन डी/13/07/240 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल भार सेल आधारित अस्वचालित (टेबल टॉप) प्रकार का तोलन उपकरण है। जिसमें 2 ग्रा. या उससे अधिक के सत्यापन मापमान अंतराल के लिए एन \leq 3000 सत्यापन मापमान अंतराल के संबंध में 15 कि.ग्रा. से 30 कि.ग्रा. की रेंज में अधिकतम क्षमता वाले हैं। यह मध्यम यथार्थता (यथार्थता वर्ग III) से संबंधित है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवयकलनात्मक धारित आधेयतुलन प्रभाव है।

स्टारिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

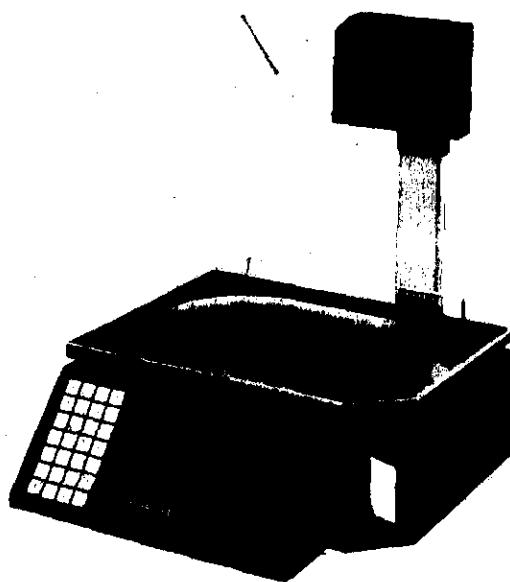
[फा. सं. डब्ल्यू एम-21(34)/2007]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 3rd April, 2008

S.O. 1954.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority along with the Model approval certificate issued by the NMI Netherlands Meetinstituut, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of series '8442' (Tiger P) with brand name 'Mettler-Toledo' and manufactured by M/s Mettler-Toledo (changzhou) Scales & Systems Ltd, 111 Changxai Road, Changzhou, 213001, Jiangsu, People Republic of China and sold in India without any alteration or additions by M/s Mettler-Toledo India Pvt Ltd, Amar Hills, Saki Vihar Road, Powai Mumbai, Maharashtra and which is assigned the approval mark IND/13/07/240;



The said model is a load cell based non-automatic weighing instrument (Table top type) with maximum capacity in the range of 15kg to 30kg in respect of verification scale interval $n \leq 3000$ for value of verification scale interval (e) 2g or more. It belongs to medium accuracy (accuracy class-III). It has a tare device with a 100 percent subtractive retained tare effect.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc.

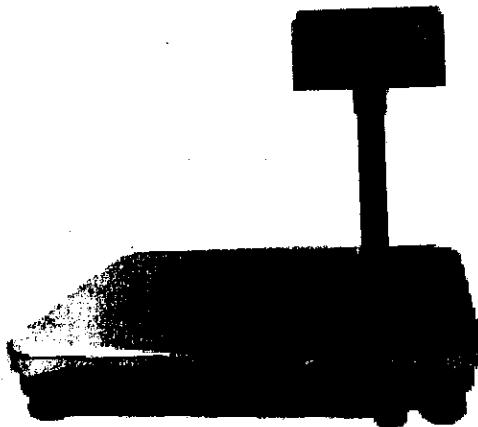
[F. No. WM-21 (34)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 3 अप्रैल, 2008

का.आ. 1955.—केन्द्रीय सरकार का, विहित प्राधिकारी एन एम आई नीदरलैण्ड मॉटोरस्ट्रूट नीदरलैण्ड द्वारा जारी मॉडल अनुमोदन प्रमाणपत्र के साथ उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों को प्रयोग करते हुए मैसर्स मैटलर टोलेडू (चैंगझाऊ) स्कोल्स एंड सिस्टम लि., 111 चैंगाक्सी रोड, चैंगझाऊ, 213001 जियांग्सु, चीन रिपब्लिक आफ चाइना द्वारा विनिर्मित “आर एन 20/वाइवा” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम “मैटलर टोलेडू” (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और भारत में बिना किसी परिवर्तन या परिवर्धन के मैसर्स मैटलर टोलेडू इंडिया प्रा. लि., अमर हिल्स, साकी विहार, पोवार्ड, मुंबई, महाराष्ट्र द्वारा विक्रित और जिसे अनुमोदन चिह्न आई एन डी/13/07/239 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल भार सेल आधारित अस्वचालित (टेबल टॉप) प्रकार का तोलन उपकरण है। जिसमें 2 ग्रा. या उससे अधिक के सत्यापन मापमान अंतराल के लिए एन \leq 3000 सत्यापन मापमान अंतराल के संबंध में 6 कि.ग्रा. से 15 कि.ग्रा. की रेंज में अधिकतम क्षमता वाले हैं। यह मध्यम यथार्थता (यथार्थता वर्ग III) से संबंधित है। इसमें एक आधेयतुलन युक्ति है जिसका शात प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है।

स्टॉपिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

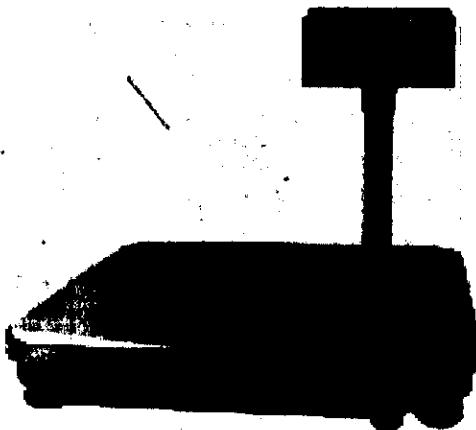
[फा. सं. डब्ल्यू एम-21(34)/2007]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 3rd April, 2008

S.O. 1955.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority along with the Model approval certificate issued by the NMI Netherlands Meetinstituu, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of model of the non-automatic weighing instrument (Table top type) with digital indication of series 'RN 20/Viva' with brand name 'Mettler-Toledo' and manufactured by M/s. Mettler-Toledo (changzhou) Scales & Systems Ltd., 111 Changaxi Road, Changzhou, 213001, Jiangsu, People Republic of China and sold in India without any alteration or additions by M/s. Mettler-Toledo India Pvt. Ltd., Amar Hills, Saki Vihar Road, Powai, Mumbai, Maharashtra and which is assigned the approval mark IND/13/07/239;



The said model is a load cell based non-automatic weighing instrument (Table top type) with maximum capacity in the range of 6kg to 15kg in respect of verification scale interval $n \leq 3000$ for value of verification scale interval (e) 2g or more. It belongs to medium accuracy (accuracy class-III). It has a tare device with a 100 per cent subtractive retained tare effect.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc.

[F. No. WM-21 (34)/2007]

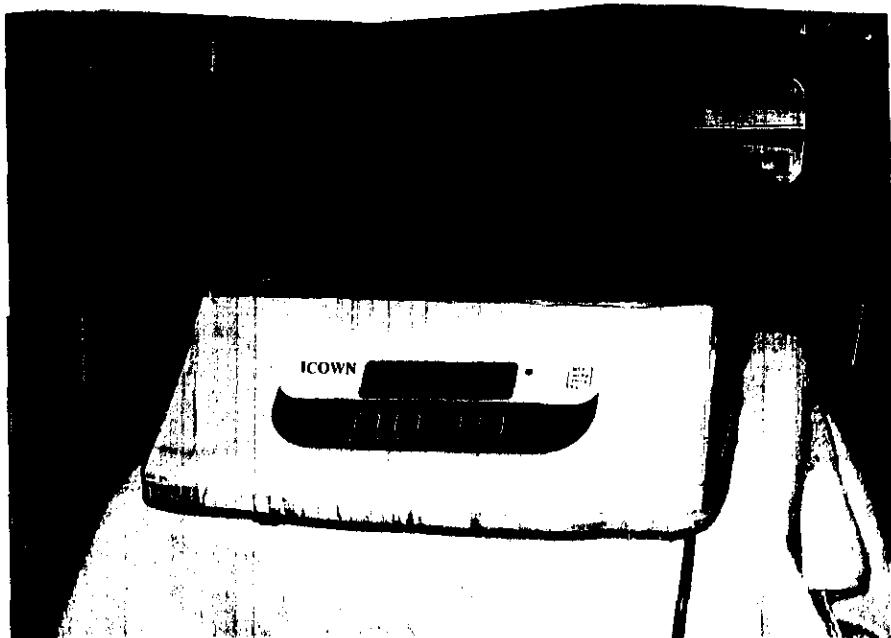
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 13 मई, 2008

का.आ. 1956.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा शक्तियों को प्रयोग करते हुए मैसर्स आईकोन स्केल्स एंड सिस्टम, आर जैड/एफ-760/49/1, राजनगर-2, पालम कालोनी, नई दिल्ली-110045 द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग 11) वाले “एन टी टी” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम “आईकोन” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/08/45 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 250 ग्रा. है। सत्यापन मापमान अन्तराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रंभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



मशीन को सील करने के तार द्वारा आधार और ऊपरी ढांचे को सीलबन्द करने तथा इसके अतिरिक्त प्राधिकारी द्वारा सम्पन्ने के कोने के स्टड पर स्टाम्प को पंच करने के कारण खोला नहीं जा सकेगा। मॉडल को सीलबन्द करने के उपबंध का एक प्रस्तुती योजनाबद्ध डायग्राम ऊपर दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्पाण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक के “ई” मान के लिए 100 से 50,000 की रेंज में और 100 मि.ग्रा. अथवा उससे अधिक के “ई” मान के लिए 5,000 से 50,000 की रेंज में सत्त्वास्तु मापमान अन्तराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^8 , 2×10^8 अथवा 5×10^8 , के हैं, जहां पर ‘के’ धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(09)/2008]
आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 13th May, 2008

S.O. 1956.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of high accuracy (accuracy class-II) of series "NTT" and with brand name "ICOWN" (herein after referred to as the said model), manufactured by M/s. Icown Scales & Systems, RZ/F-760/49/1, Rajnagar-II, Palam Colony, New Delhi-110045 and which is assigned the approval mark IND/09/08/45;

The said model is a strain gauge type load cell based non-automatic weighing instrument with a maximum capacity of 30kg. and minimum capacity of 250g. The verification scale interval (e) is 5g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.



The machine can not be opened since the base and the upper body is being sealed by sealing wire and stud from the opposite corner where the verification stamp is punched by the Authority. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity up to 50 kg with verification scale interval (n) in the range of 100 to 50,000 for ' e ' value of 1mg to 50mg and with verification scale interval (n) in the range of 5000 to 50,000 for ' e ' value of 100mg or more and with ' e ' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (09)/2008]

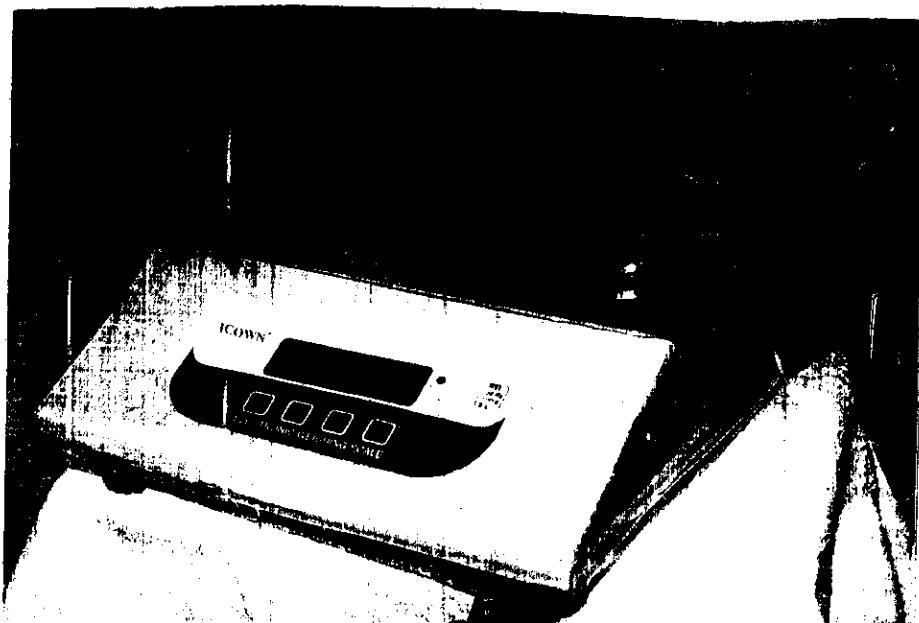
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 13 मई, 2008

का.आ. 1957.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा शक्तियों को प्रयोग करते हुए, मैसर्स आईकोन स्केल्स एंड स्टेम, आर जैड/एफ-760/491, राजनगर-II, पालम कालोनी, नई दिल्ली-110045 द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग [II]) वाले “एन एस टी” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) के मॉडल का, जिसके बांड को नाम “आईकोन” है (जिसे इसमें इसके परवात उक्त मॉडल कहा गया है) और जिसे अनुमोदन “चूह आई एस टी/09/08/46 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकृत क्षमता 20 कि.ग्रा. और न्यूनतम् क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यक्तिनामक धारित आधेयतुलन प्रभाव है; प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



मशीन को सील करने के तार द्वारा आधार और ऊपरी ढांचे को सीलबंद करने तथा इसके अतिरिक्त प्राधिकारी द्वारा सामने के कोने के स्टड पर स्टाम्प को पंच करने के कारण खोला नहीं जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जा 100 मि.ग्रा. से 2 ग्रा. तक के “ई” मान के लिए 100 से 10,000 तक के रेंज में और 5 ग्रा. या उससे के “ई” मान के लिए 100 से 10,000 तक के रेंज में सत्यापन अंतराल (एन) और 5 ग्रा. या उससे अधिक के “ई” मान रेंज सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^4 , 2×10^4 , 5×10^4 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(09)/2008]

आर. माधुरवृथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 13th May, 2008

S.O. 1957.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Tabletop type) with digital indication of "NST" series of medium accuracy (accuracy class-III) and with brand name "ICOWN" (hereinafter referred to as the said model), manufactured by M/s. Icown Scales & Systems, RZ/F-760/49/1, Rajnagar-II, Palam Colony, New Delhi-110045 and which is assigned the approval mark IND/09/08/46;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Tabletop type) with a maximum capacity of 30 kg. and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.



The machine cannot be opened since the base and the upper body is being sealed by sealing wire and stud from the opposite corner where the verification stamp is punched by the Authority. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50 kg with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100mg to 2g and with verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

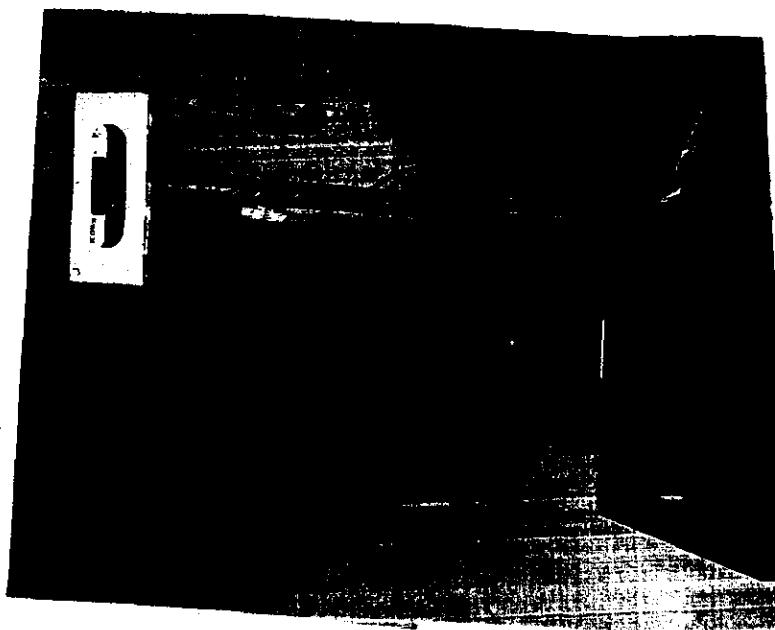
[F. No. WM-21 (09)/2008]
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 13 मई, 2008

का.आ. 1958.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स आईकोन स्केल्स एंड सिस्टम, आर जैड/एफ-760/49/I, राजनगर-II, पालम कालोनी, नई दिल्ली-110045 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले “एन एस पी” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम “आईकोन” है (जिसे इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/08/47 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित (प्लेटफार्म प्रकार) तोलन उपकरण है। इसकी अधिकृत क्षमता 200 कि.ग्रा. और न्यूनतम क्षमता 2 कि.ग्रा. है। सत्यापन मापमान अन्तराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यक्लेनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 बोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



मशीन को सील करने के तार द्वारा आधार और ऊपरी ढांचे को सीलबन्द करने तथा इसके अतिरिक्त प्राधिकारी द्वारा सामने के कोने के स्टड पर स्टाम्प को पंच करने के कारण खोला नहीं जा सकेगा। मॉडल को सीलबन्द करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. अधिक उससे अधिक के “ई” मान के लिए 500 से 10,000 की रेंज में और सत्यापन मापमान अन्तराल (एन) सहित 50 कि.ग्रा. से ऊपर और 5,000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^5 , 2×10^5 अथवा 5×10^5 , के हैं, जहां पर ‘के’ धनात्मक या ऋणात्मक पूँजीक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(09)/2008]

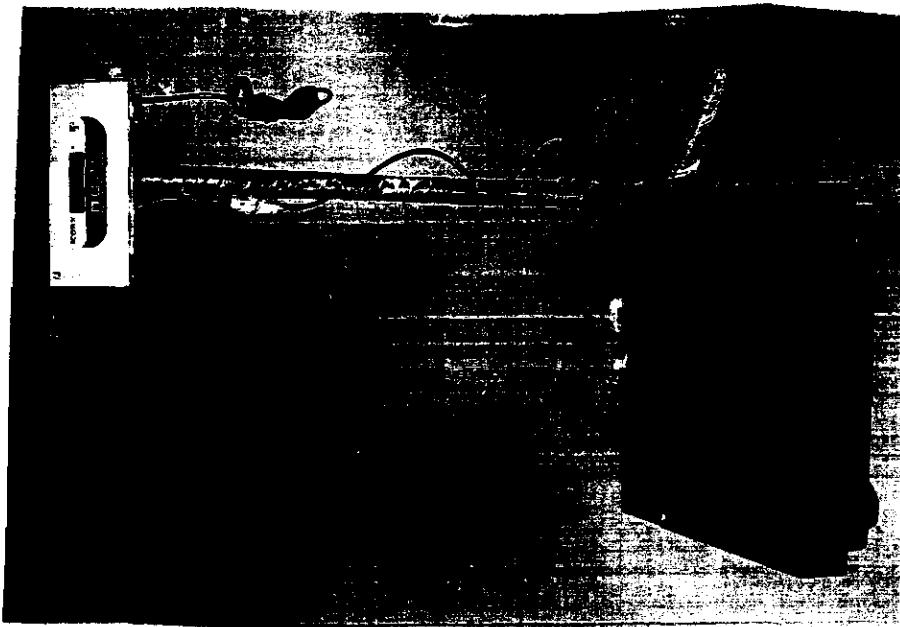
आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 13th May, 2008

S.O. 1958.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of medium accuracy (accuracy class-III) of series "NSP" and with brand name "ICOWN" (hereinafter referred to as the said model), manufactured by M/s. Icown Scales & Systems, RZ/F-760/49/1, Rajnagar-II, Palam Colony, New Delhi-110045 and which is assigned the approval mark IND/09/08/47;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 200kg. and minimum capacity of 2kg. The verification scale interval (e) is 100g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternate current power supply.



The machine cannot be opened since the base and the upper body is being sealed by sealing wire and stud from the opposite corner where the verification stamp is punched by the Authority. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity up to 50 kg and up to 5,000 kg with verification scale interval (n) in the range of 500 to 10,000 for ' e ' value of 5gm or more and with ' e ' value of 1×10^k , 2×10^k or 5×10^k , where ' k ' is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (09)/2008]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 13 जून, 2008

का.आ. 1959.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विश्वार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों को प्रयोग करते हुए मैसर्स एब्री इंडिया लिमिटेड, प्लाट नं. 50-59, सैकटर-25, बल्लभगढ़-121004, हरियाणा द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) के “ए 711 डब्ल्यू” शृंखला के अस्वचालित, अंकक सूचन सहित तोलन उपकरण (टेबलटाप प्रकार), जिसके जिसके ब्रांड का नाम “एब्री” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है), जिसे अनुमोदन चिह्न आई एन डी/09/08/122 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित (टेबलटाप प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 15 कि.ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। लिकिवड क्रिस्टल डायोड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

AVERY A711W



यह सुनिश्चित करने के लिए कि डिस्प्ले को लीड सील से छेड़छाड़ के बिना नहीं खोला जा सकता सीलिंग के लिए डिस्प्ले के पिछले भाग में छेदों के दो पेंचों के माध्यम से स्टील की तार को निकाला जाएगा और लीड प्लग से लपेटा जाएगा। मॉडल को सीलबंद करने का एक प्रारूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के ऐसे ही भेक, यथार्थता और कार्यपालक के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्रा. तक के “ई” मान के लिए 100 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^8 , 2×10^8 या 5×10^8 , के हैं, जहां पर ‘के’ धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(16)/2008]

आर. माधुरबूथम, निदेशक, विधिक माप विज्ञान

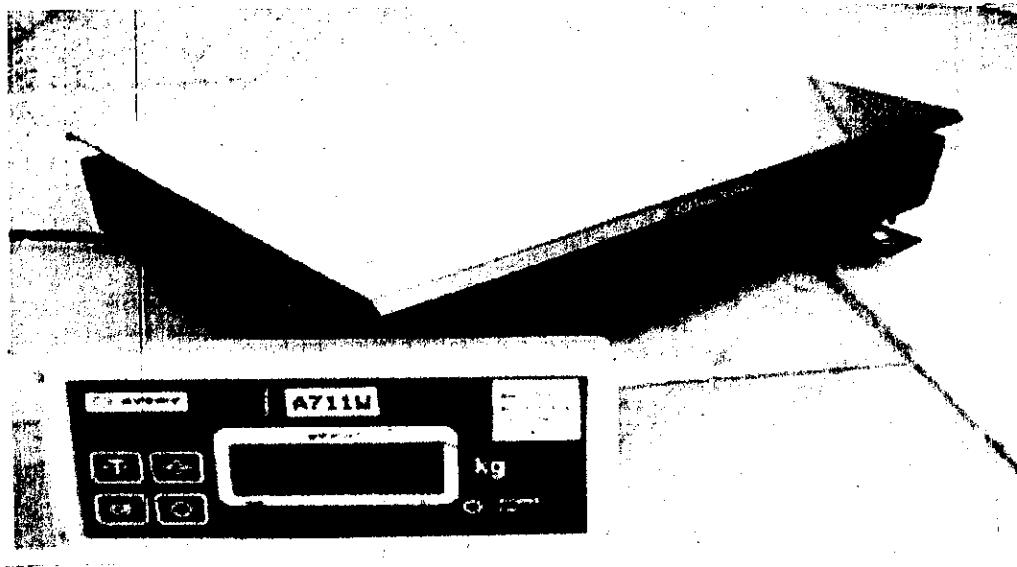
New Delhi, the 13th June, 2008

S.O. 1959.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Tabletop type) with digital indication of medium accuracy (Accuracy class-III) of series "A711W" and with brand name "AVERY" (herein referred to as the said model), manufactured by M/s. Avery India Limited, Plot No.50-59, Sector-25, Ballabgarh-121004 (Haryana) and which is assigned the approval mark IND/09/08/122;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Tabletop type) with a maximum capacity of 15 kg. and minimum capacity of 100 g. The verification scale interval (*e*) is 5 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Liquid Crystal Diode (LCD) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

AVERY A711W



For sealing a steel wire is passed through two screws with holes on the back of display and crimped to a lead plug, ensuring that display can not be opened without tampering the lead seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity up to 50 kg. with verification scale interval (*n*) in the range of 100 to 10,000 for '*e*' value of 100 mg. to 2 g. or with verification scale interval (*n*) in the range of 500 to 10,000 for '*e*' value of 5 g. or more and with '*e*' value of 1×10^k , 2×10^k or 5×10^k , *k* being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

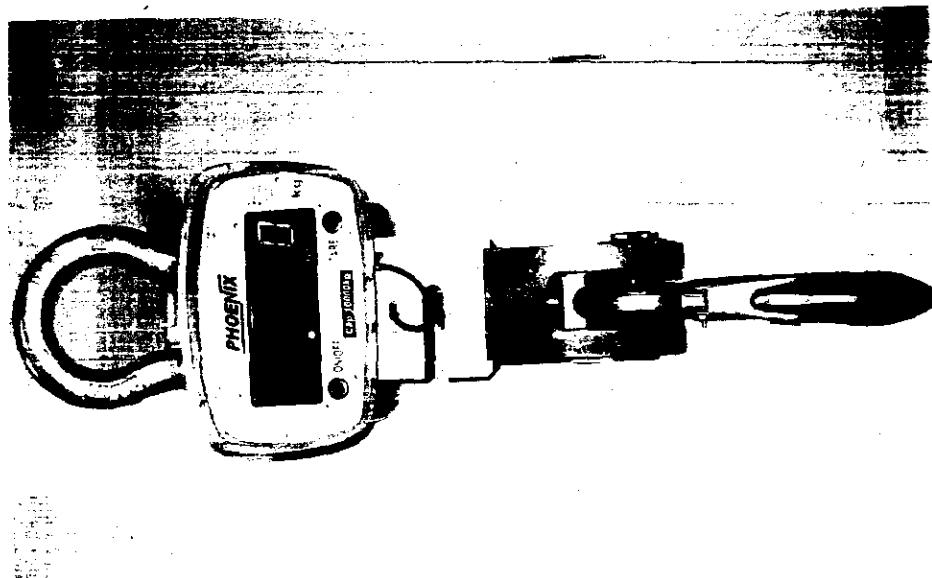
[F. No. WM-21 (16)/2008]
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 13 जून, 2008

का.आ. 1960.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स नीतिराज इंजीनियर्स प्रा.लि., इंडस्ट्रियल प्लाट नं. 41, सेक्टर-2, गबरैल रोड, परवानू-173220, ताल, कसौली डिस्ट्रिक्ट सोलन, हिमाचल प्रदेश द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) के “एन एच एस” शृंखला के अस्वचालित, अंकक सूचन सहित तोलन उपकरण (क्रेन प्रकार) जिसके ब्रांड का नाम “फोनिक्स” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है), जिसे अनुमोदन चिह्न आई एन डी/09/08/89 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का आर सेल आधारित अस्वचालित (क्रेन प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 5 टन है और न्यूनतम क्षमता 20 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 1 कि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन यरिणाम उपर्युक्त करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्केल के तल पर स्टेम्प और सील का संभापन प्राप्त करने के लिए दो छेद युक्त पेंचों को केन्द्र से बाईं तरफ सीसायुक्त तार से कसा जाएगा। तुला की सील को तोड़े बिना खोला नहीं जा सकेगा। मॉडल को सीलबंद करने का एक प्रारूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से अधिक और 50 टन तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^4 , 2×10^4 या 5×10^4 , के हैं, जो धनात्मक या ऋणात्मक पूर्णक या शून्य के समतुल्य हैं।

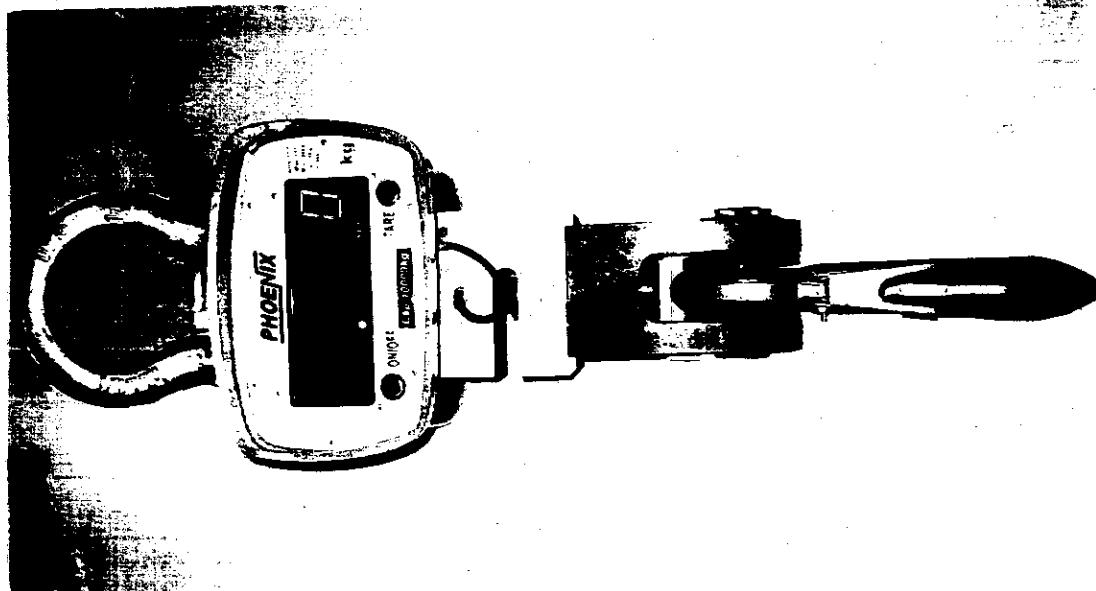
[फा. सं. डब्ल्यू एम-21(06)/2008]
आर. माथुरवृथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 13th June, 2008

S.O. 1960.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Crane type) with digital indication of medium accuracy (Accuracy class-III) of series "NHS" and with brand name "PHOENIX" (hereinafter referred to as the said model), manufactured by M/s. Nitiraj Engineers Pvt. Ltd., Unit-2, Industrial Plot No. 11-A, Sector-2, Parwanoo-173220, Tal. Kasouli, Dist. Solan, H.P. and which is assigned the approval mark IND/09/08/89;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Crane type) with a maximum capacity of 5 tonne and minimum capacity of 20 kg. The verification scale interval (e) is 1 kg. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.



At the bottom of the scale, two bored screws from the left to the centre are fastened with a leaded wire to receive the verification stamp and seal. The balance can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity above 500 kg. and up to 50 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5 g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

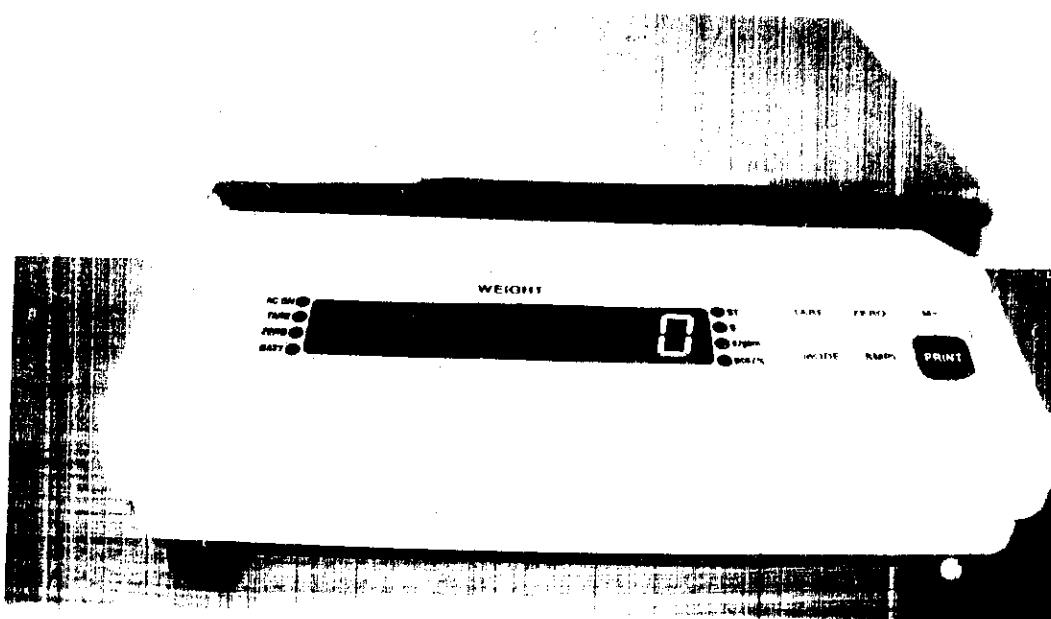
[F. No. WM-21 (06)/2008]
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 13 जून, 2008

का.आ., 1961.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों को प्रयोग करते हुए मैसर्स नीतिराज इंजीनियर्स प्रा.लि., इंडस्ट्रियल प्लाट नं. 41, सेक्टर-2, गबर्नर रोड, परवानू-173 220, ताल, कसौली डिस्ट्रिक्ट सोलन, हिमाचल प्रदेश द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) के “एन जे डब्ल्यू” शृंखला के अस्वचालित, अंकक सूचन सहित तोलन उपकरण (टेबलटाप प्रकार) जिसके ब्रांड का नाम “फोनिक्स” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है), और जिसे अनुमोदन चिन्ह आई एन डी/09/08/88 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित (टेबलटाप प्रकार) का तोलन उपकरण है। इसकी अधिकतम क्षमता 5 कि.ग्रा. है और न्यूनतम क्षमता 20 ग्रा. है। सत्यापन मापमान अंतराल (ई) । कि.ग्रा. है। इसमें एक आधंयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपर्युक्त करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्केल के तल पर स्टेम्प और सील का सत्यापन प्राप्त करने के लिए दो छेद युक्त पेंचों के केन्द्र से बाईं तरफ सीसायुक्त तार से कसा जाएगा। तुला की सील को तोड़े बिना खोला नहीं जा सकेगा। मॉडल को सीलबंद करने का एक प्रारूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मंक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्रा. तक के “ई” मान के लिए 100 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^6 , 2×10^6 या 5×10^6 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

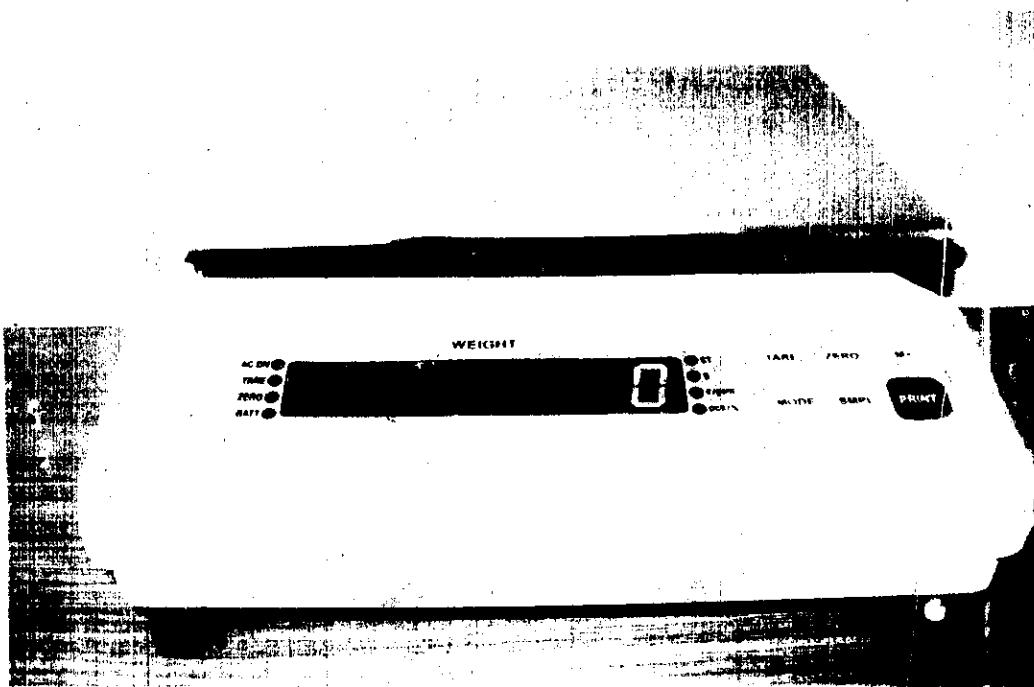
[फा. सं. डब्ल्यू एम-21(06)/2008]
आर. माधुरवृथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 13th June, 2008

S.O. 1961.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of "NJW" series of medium accuracy (accuracy class-III) and with brand name "PHOENIX" (hereinafter referred to as the said model), manufactured by M/s. Nitiraj Engineers Pvt. Ltd., Industrial Plot No. 41, Sector-2, Gabrial Road, Parwanoo-173 220, Tal. Kasauli, Distt. Solan, H.P. and which is assigned the approval mark IND/09/08/88;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Tabletop type) with a maximum capacity of 5 kg and minimum capacity of 20 g. The verification scale interval (*e*) is 1g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.



At the bottom of the scale, two bored screws from the left to the centre are fastened with a leaded wire to receive the verification stamp and seal. The balance can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50 kg with verification scale interval (*n*) in the range of 100 to 10,000 for '*e*' value of 100 mg to 2 g and with verification scale interval (*n*) in the range of 500 to 10,000 for '*e*' value of 5 g. or more and with '*e*' value of 1×10^k , 2×10^k or 5×10^k , where *k* is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

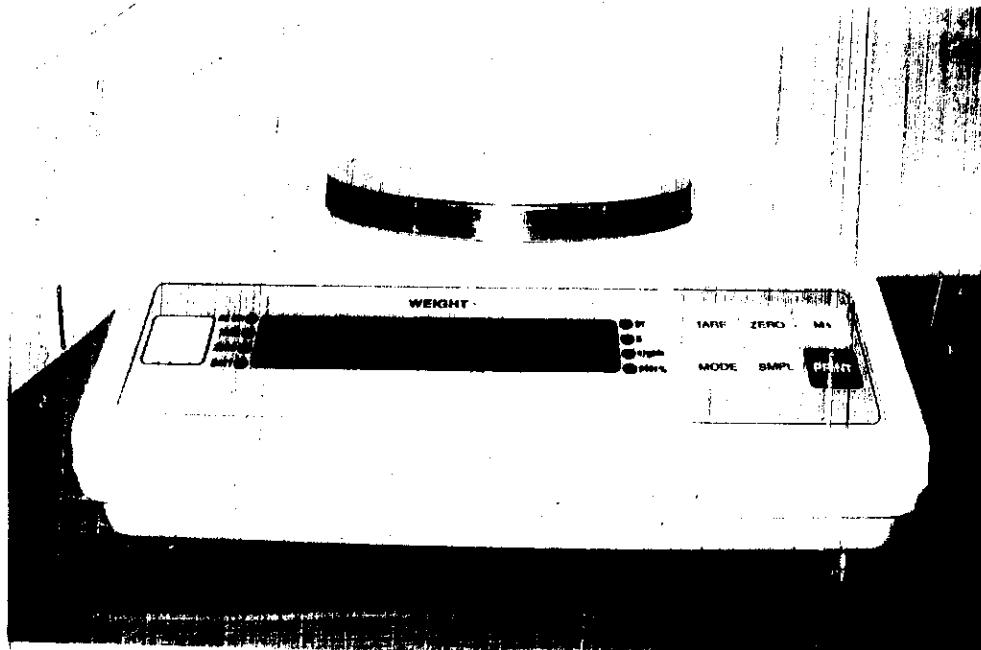
[F. No. WM-21 (06)/2008]
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 13 जून, 2008

का.आ. 1962.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाएँ रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों को प्रयोग करते हुए मैसर्स नीतिराज इंजीनियर्स प्रा.लि., इंस्ट्रियल स्लाइट नं. 41, सेक्टर-2, गबर्नर रोड, परलानू-173 220, ताल, कसौली, डिस्ट्रिक्ट सोलन, हिमाचल प्रदेश द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) के “एन जे डब्ल्यू” शुंखला के अस्वचालित, अंकक सूचन सहित तोलन उपकरण (टेबलटाप प्रकार) जिसके ब्रांड का नाम “फोनिक्स” है (जिसमें इसके पश्चात् उक्त मॉडल कहा गया है), जिसे अनुमोदन विह आई एन डी/09/08/87 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 600 ग्र. है और न्यूनतम क्षमता 500 मि.ग्रा. है। सत्यापन मापमान अंतराल (ई)10 मि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपर्युक्त करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्केल के तल पर स्टेम्प और सील का सत्यापन प्राप्त करने के लिए दो छेद युक्त पेंचों को केन्द्र से बाईं तरफ सीसायुक्त तार से कसा जाएगा। तुला की सील को तोड़े बिना खोला नहीं जा सकेगा। मॉडल को सीलबंद करने का एक प्रारूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माण द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शुंखला के बैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक के “ई” मान के लिए 100 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के “ई” मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 120 ग्रा. से 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^8 , 2×10^8 अथवा 5×10^8 , के हैं, जो धनात्मक या ऋणात्मक पूर्णीक या शून्य के समतुल्य हैं।

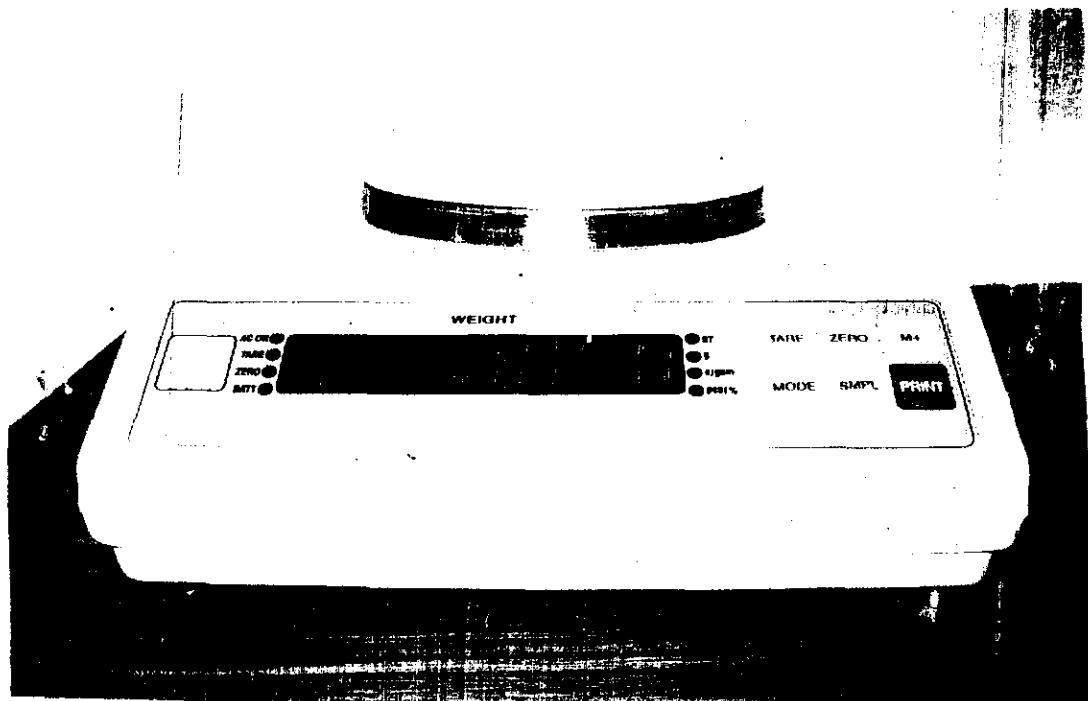
[फा. सं. डब्ल्यू एम-21(06)/2008]
आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 13th June, 2008

S.O. 1962.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of high accuracy (Accuracy Class-II) of series "NJW" and with brand name "PHOENIX" (hereinafter referred to as the said model), manufactured by M/s. Nitiraj Engineers Pvt. Ltd., Industrial Plot No. 41, Sector-2, Gabrial Road, Parwanoo-173 220, Tal. Kasouli, Distt. Solan, H.P. and which is assigned the approval mark IND/09/08/87;

The said model is a strain gauge type load cell based non-automatic weighing instrument with a maximum capacity of 600 g. and minimum capacity of 500 mg. The verification scale interval (*e*) is 10 mg. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.



At the bottom of the scale, two bored screws from the left of the centre are fastened with a leaded wire to receive the verification stamp and seal. The balance can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

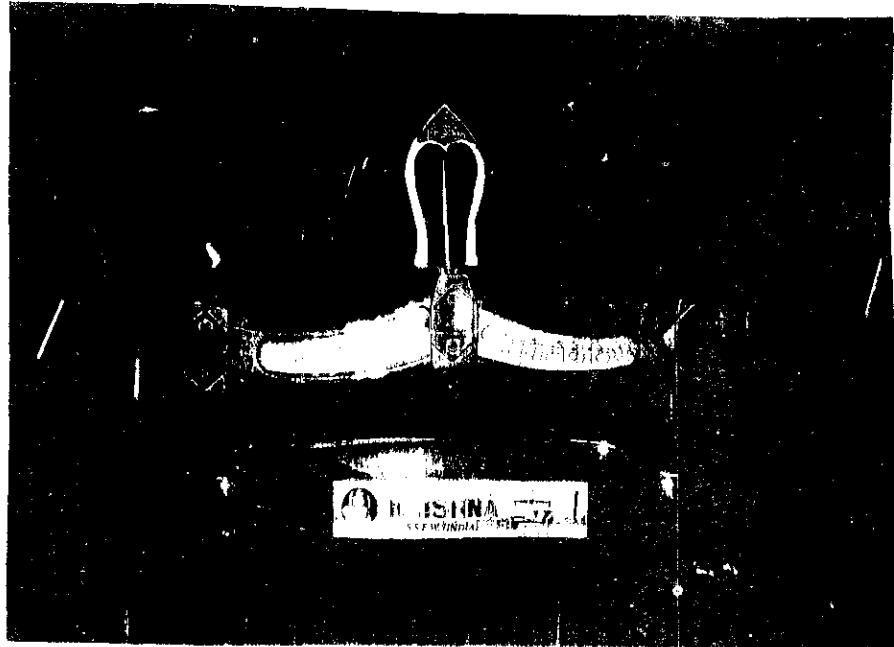
Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacities comprising from 120 g. to 50 kg. with verification scale interval (*n*) in the range of 100 to 50,000 for '*e*' value of 1mg. to 50 mg. and with verification scale interval (*n*) in the range of 5000 to 50,000 for '*e*' value of 100 mg. or more and with '*e*' value of 1×10^k , 2×10^k or 5×10^k , where *k* is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (06)/2008]
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 13 जून, 2008

का.आ. 1963.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बाट की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों को प्रयोग करते हुए मैसर्स सिंधाल स्केल एंड इंजीनियरिंग बक्स, जी-7, राइट-सी, सूरजपुर इंडस्ट्रियल एरिया, ग्रेटर नोयडा, उत्तर प्रदेश द्वारा विनिर्मित “एस एस सी” शृंखला के काउंटर मशीन के मॉडल का, जिसके ब्रांड का नाम “कृष्णा” है और जिसे अनुमोदन दिया आई एन डी/09/08126 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक काउंटर मशीन है जो हितवर के सिद्धांत पर कार्य करता है जिसकी अधिकतम क्षमता 5 कि.ग्रा. है।

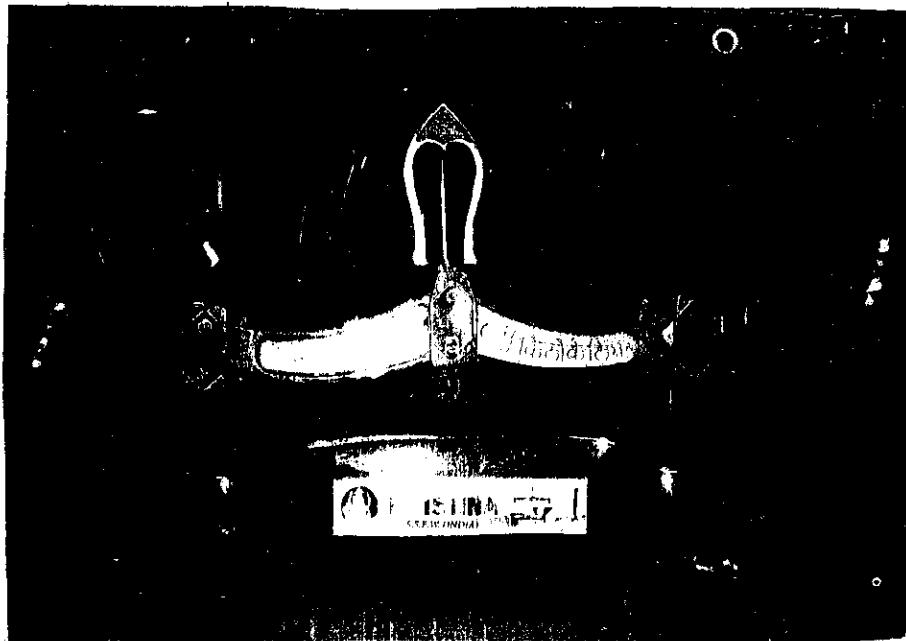
और केन्द्रीय सरकार उक्त अधिनियम ओं धारा 36 की उप-धारा (12) द्वारा प्रदत्त शाक्तयों का प्रयोग करते हुए यह धोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जिन की क्षमता 500ग्रा से 50 कि.ग्रा तक है।

[फा. सं. डब्ल्यू एम-21(32)/2008]
आर. माधुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 13th June, 2008

S.O. 1963.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of counter machine of series "SSC" and with brand name "KRISHNA" (herein referred to as the said model), manufactured by M/s. Singhal Scale and Engineering Works, G-7, Site-C, Suraj Pur Industrial Area, Greater Noida, U.P. and which is assigned the approval mark IND/09/07/126;



The said model is a Counter Machine working on the principle of lever with a maximum capacity of 5kg.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity in the range of 500g to 50kg manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (32)/2008]
R. MATHURBOOTHAM, Director of Legal Metrology.

नई दिल्ली, 13 जून, 2008

का.आ. 1964.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में बाणित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल्स यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों को प्रयोग करते हुए मैसर्स अलटा टक्नोलोजिज, 4-1-873, पी.नं., 9, 403, चौथा तल, बिजनेस टावर्स, तिलक रोड, एविंद, हैदराबाद द्वारा विनिमित मध्यम यथार्थता (यथार्थता वर्ग III) बाले “एटी-पीएफ” शृंखला के अस्वचालित, अंकक सूचन सहित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का जिसके जिसके ब्रांड का नाम “अलटा” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/08/123 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित (प्लेटफार्म प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. है और न्यूनतम क्षमता 4 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 200 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यक्तिनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्शन तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

तोलन उपकरण के ऊपरी कवर और निचली प्लेट में छेदों के माध्यम से सीलिंग की गई है और इन छेदों में से तार निकालकर लोड सील को तार पर फिक्स किया जाएगा। मॉडल को सीलबंद करने का एक प्रारूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

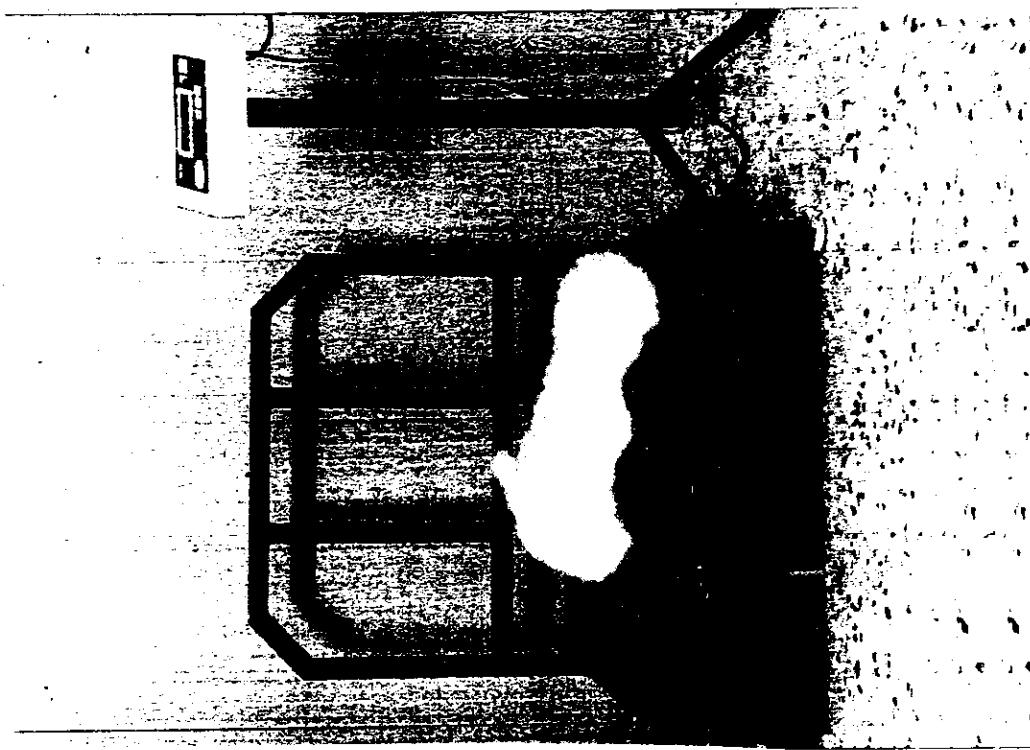
और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिमित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. से अधिक और 5000 कि. ग्रा. की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^4 , 2×10^4 या 5×10^4 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(50)/2008]
आर. माधुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 13th June, 2008

S.O. 1964.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of medium accuracy (Accuracy class-III) of series "AT-PF" and with brand name "ALTA" (herein referred to as the said model), manufactured by M/s. Alta Technologies, 4-I-873, P.No.9, # 403, 4th Floor, Business Towers, Tilak Road, Abids, Hyderabad and which is assigned the approval mark IND/09/08/I-23;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 1000kg. and minimum capacity of 4kg. The verification scale interval (e) is 200g. It has a tare device, with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Sealing is done through the holes made in the bottom plate and top cover of the indicator, then a wire is passed through these holes and the lead seal is fixed on the wire. A typical schematic diagram of sealing provision of the model is given above.

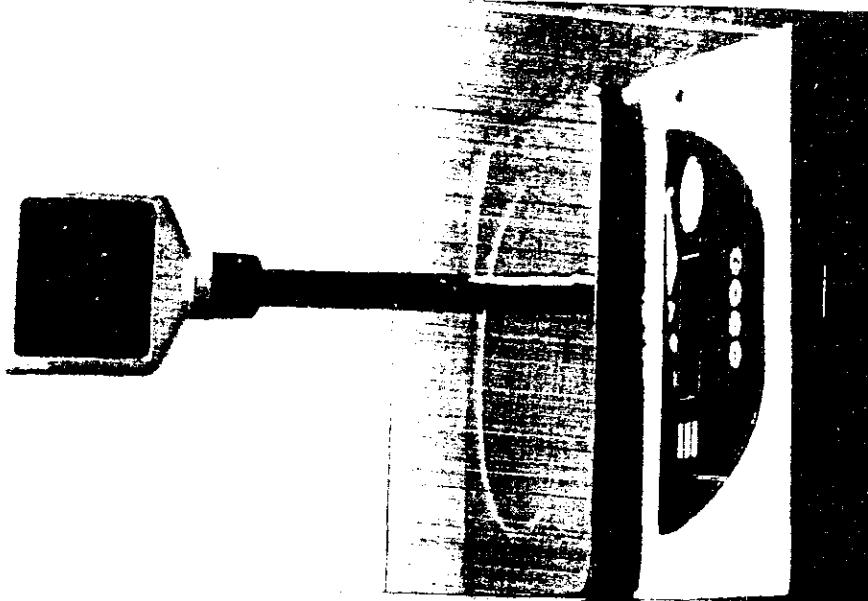
Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity above 50 kg and up to 5000 kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (50)/2008]
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 13 जून, 2008

का.आ. 1965.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की (7) और उप-धारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स अल्टा टकोलोजिज, 4-1-873, पी. नं. 9, 403, चौथा तल., विजनेस टावर्स, तिलक रोड, एबिद, हैदराबाद द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग 111) बाले “एटी-टीबी” शृंखला के अस्वाचालित, अंकक सूचन सहित तोलन उपकरण (टेबल टाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम “अल्टा” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/08/124 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वाचालित (टेबलटाप प्रकार) तोलन उपकरण है। इसको अधिकतम शक्ति 30 कि.ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत परिशत व्यवकलनात्मक भारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपर्युक्त करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

तोलन उपकरण के ऊपरी कवर और निचली प्लेट में छेदों के माध्यम से सीलिंग की गई है और इन छेदों में से तार निकालकर लीट सील को तार पर फिक्स किया जाएगा। मॉडल को सीलवंद करने का एक प्रारूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

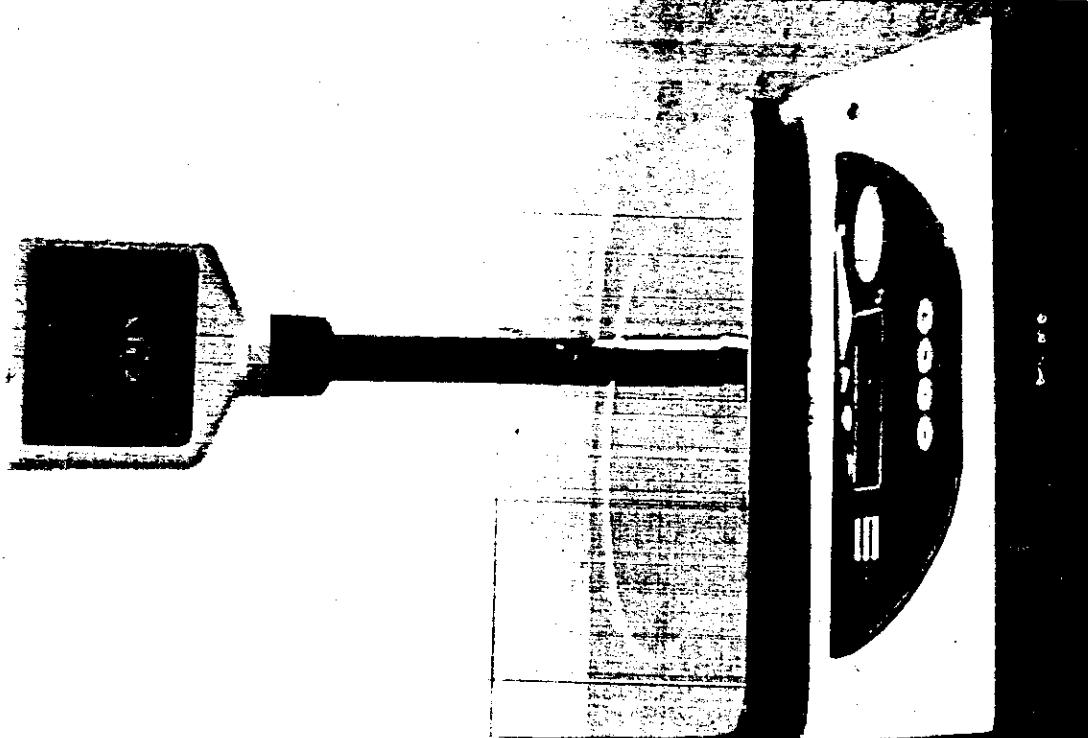
और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिसमें उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के बैसे ही में, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 मि. ग्रा. तक के “ई” मान के लिए 100 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा.या उसमें अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^5 , 2×10^5 या 5×10^5 , के हैं, जहां पर ‘के’ धनात्मक या ऋणात्मक पूर्णक या शून्य के समतुल्य हैं।

[फा. सं. डक्ट्यू. एम. 21(50)/2008 :
आर. माधुरबृथम, दिदेशक, विधिक माप विज्ञान

New Delhi, the 13th June, 2008

S.O. 1965.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of "AT-TB" series of medium accuracy (accuracy class-III) and with brand name "ALTA" (hereinafter referred to as the said model), manufactured by M/s. Alta Technologies, 4-I-873, P.No.9,# 403, 4th Floor, Business Towers, Tilak Road, Abids, Hyderabad and which is assigned the approval mark IND/09/08/124;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Tabletop type) with a maximum capacity of 30kg. and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Sealing is done through the holes made in the bottom plate and upper cover of the weighing instrument, and a wire is passed through these holes and lead seal is fixed on the wire. A typical schematic diagram of sealing provision of the model is given above.

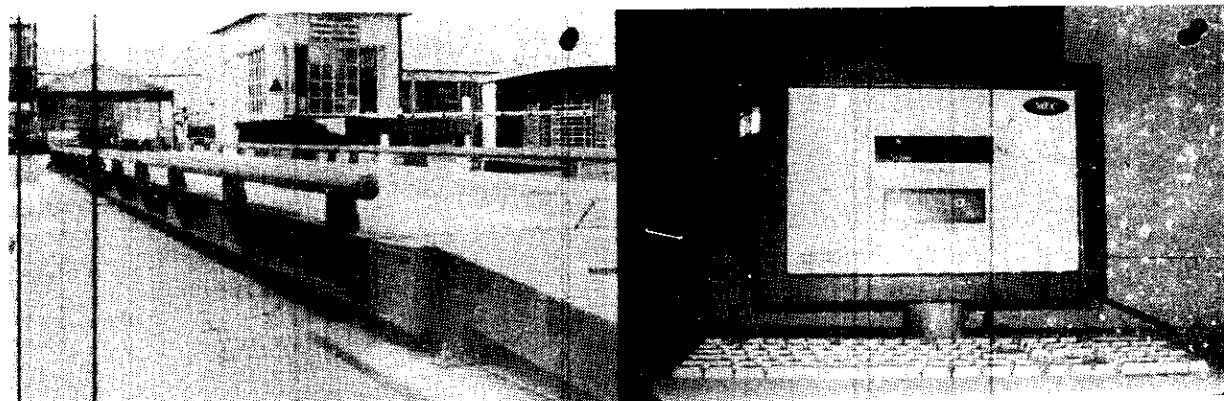
Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity up to 50 kg with verification scale interval (n) in the range of 100 to 10,000 for ' e ' value of 100 mg to 2 g and with verification scale interval (n) in the range of 500 to 10,000 for ' e ' value of 5 g. or more and with ' e ' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (50)/2008]
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 13 जून, 2008

का.आ. 1966.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों को प्रयोग करते हुए मैसर्स मैकाट्रोनिक्स इंजीनियरिंग कॉर्पोरेशन, नं.12, रामया आर्केड, 45-51-4 आविद नगर, अक्काय्यपलम, विशाखापत्नम-530016 द्वारा विनिर्मित यथार्थता मध्यम (यथार्थता वर्ग III) के “एम ई सी-डब्ल्यू बी” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (वेब्रिज प्रकार) के मॉडल का, जिसके ब्रांड का नाम “मैकाट्रोनिक्स” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/08/99 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है;



उक्त मॉडल भार सेल आधारित विकृत गेज प्रकार का अस्वचालित (वेब्रिज प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 50 टन है और न्यूनतम क्षमता 400 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 20 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यक्तिनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपर्युक्त करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

इंडीकेटर को सील करने के लिए इंडीकेटर के पीछे की प्लेट और उपरी हिस्से को शामिल करते दो छेद किए जाएंगे। एक सीमायुक्त सील तार को सत्यापन स्टाम्प और सील प्राप्त करने के लिए इन छेदों में बांधा जाएगा। सील को तोड़ बिना इंडीकेटर को नहीं खोला जा सकता। माडल के सीलिंग प्रावधान का स्कीमबार डायग्राम ऊपर दिया गया है।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनियमाता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिसमें उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 टन से 150 टन तक को अधिकतम क्षमता वाले हैं और “ई” मान 1×10^4 , 2×10^4 या 5×10^4 , के हैं, जो धनात्मक या ऋणात्मक पूर्णक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(294)/2007]
आर. माधु रूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 13th June, 2008

S.O. 1966.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Weighbridge type) with digital indication of medium accuracy (accuracy class-III) of series "MEC-WB" and with brand name "MECHATRONICS" (hereinafter referred to as the said model), manufactured by M/s. Mechatronics Engineering Corporation, No.12, Ramya Arcade, #45-51-4, Abid Nagar, Akkayyapalem, Visakhapatnam-530016 and which is assigned the approval mark IND/09/08/99;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Weighbridge type) with a maximum capacity of 50 tonne and minimum capacity of 400 kg. The verification scale interval (e) is 20kg. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

For sealing the indicator, two holes are made covering the rear plate and upper portion of the indicator. A leaded seal wire is fastened through these holes for receiving the verification stamp and seal. The indicator can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and up to 150 tonne with verification scale interval (n) in the range of 500 to 10,000 for ' e ' value of 5g or more and with ' e ' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

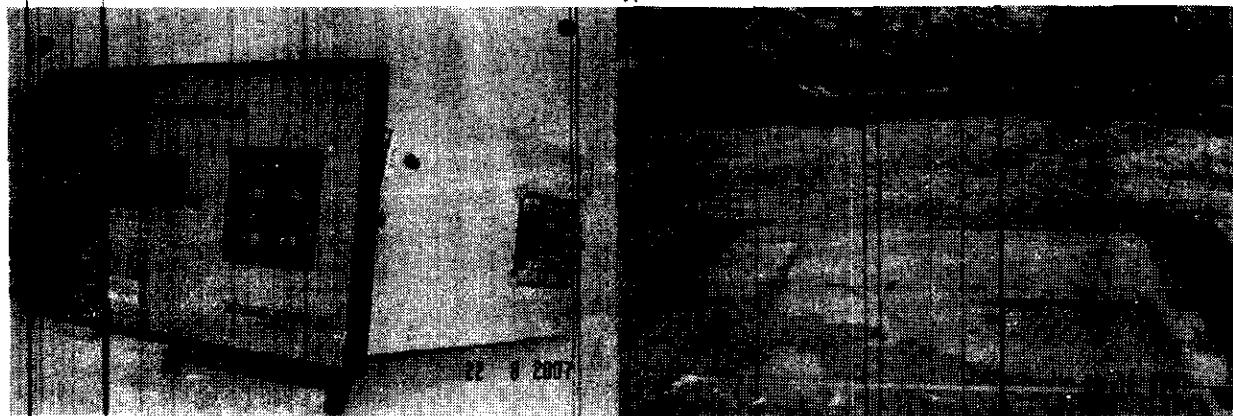
[F. No. WM-21 (294)/2007]
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 13 जून, 2008

का.आ. 1967.—केन्द्रीय सरकार का, विहित प्रधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

आतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों को प्रयोग करते हुए मैसर्स्ट स्टेटवे इंडिया (प्रा.) लि. #447, 4th फेज, पीन्या इंडस्ट्रियल एरिया, बंगलौर-560 058 द्वारा विनिर्मित “एस एल ए” शृंखला के स्वचालित वेइंग रोड व्हीकल इन मोशन जो यथार्थता श्रेणी 0.5 से सम्बन्धित है तोलन उपकरण के मॉडल का, जिसके ब्रांड का नाम “स्टेटवे” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/08/01 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित स्वचालित वेइंग रोड व्हीकल के लिए तोलन उपकरण है। इसकी अधिकतम क्षमता 25 टन है और न्यूनतम क्षमता 500 कि. ग्रा. है। सत्यापन मापमान अंतराल 10 कि.ग्रा. है। प्रकाश उत्सर्जक डायोड (एल ई डी) तोलन ऐरियाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है। इस मशीन का परीक्षण ओ आई एम एल आर 134 विशिष्टि के अनुसार किया गया है।



इंडीकेटर के पीछे की ओर बाहरी कवर और आंतरिक कवर पर दो छेद करते हुए तथा तार को कसते हुए तथा सीसा सील के द्वारा सील की गई है। मॉडल के सीलिंग प्रवधान का स्कीमवार डायग्राम ऊपर दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 टन से अधिक तथा 100 टन तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^4 , 2×10^4 या 5×10^4 , के हैं, जहां पर ‘के’ धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(296)/2007]

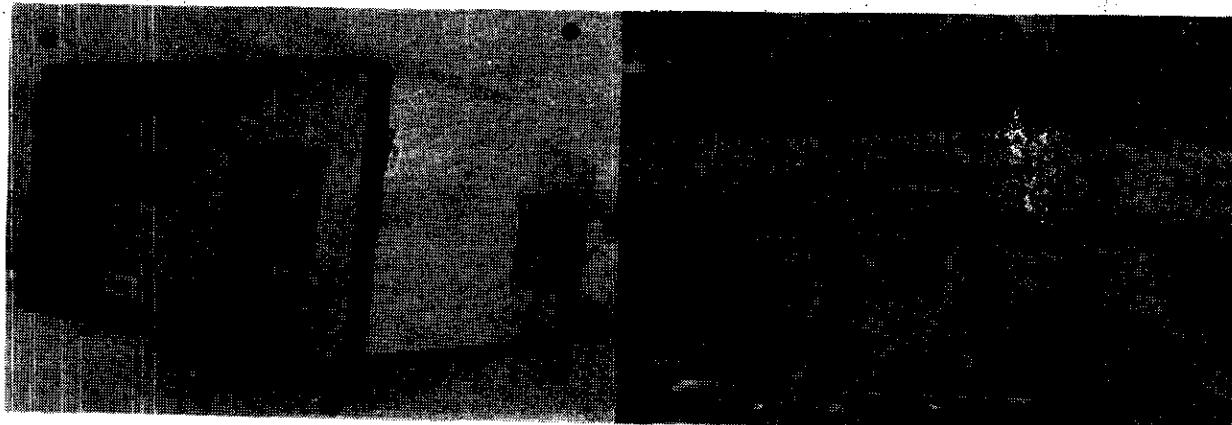
आर. माधुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 13th June, 2008

S.O. 1967.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of automatic instrument for Weighing road vehicle in motion belonging to accuracy class 0.5 and of series "SLA" and with brand name "STATWEIGH" (hereinafter referred to as the said model), manufactured by M/s Statweigh India (P) Ltd., # 447, 4th Phase, Peenya Industrial Area, Bangalore-560 058 and which is assigned the approval mark IND/09/08/01;

The said model is a strain gauge type load cell based automatic weighing instrument for weighing road vehicle with a maximum capacity of 25 tonne and minimum capacity of 500kg. The verification scale interval is 10kg. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts, 50 Hertz alternative current power supply. The machine has been tested according to OIML R 134 specification.



The sealing has been done on the rear side of the indicator by making two holes on the outer cover and inner cover and by fastening wire and lead seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and up to 100 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

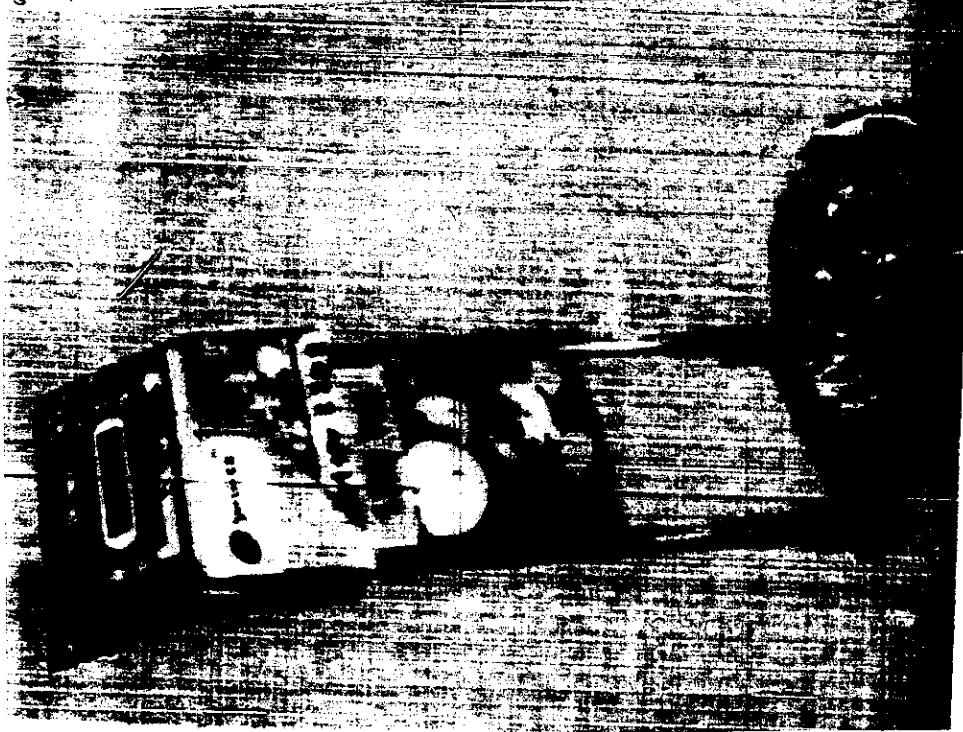
[F. No. WM-21 (296)/2007]
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 13 जून, 2008

का.धा. 1968.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट तथा माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए मैसर्स स्वीसर इंस्ट्रूमेंट्स, ए-5/बी-29, गोपाल नगर, जनतानगर के पीछे, चांदखेड़ा, गांधी नगर-382424, गुजरात द्वारा विनिर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग-III) वाले 'एस डब्ल्यू सी एस' श्रृंखला के अंकक सूचक सहित अस्वचालित तोलन उपकरण (व्यक्ति तोलन मशीन-सिक्के द्वारा प्रचालित बिना टिकट या टिकट मुद्रण की सुविधा सहित) के मॉडल का, जिसके ब्राण्ड का नाम 'स्वीसर' है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/07/130 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सैल आधारित तोलन उपकरण है। इसकी अधिकतम क्षमता 150 किलो ग्राम और नयूनतम क्षमता 400 ग्राम है। इसका सत्यापन मापमान अन्तराल 20 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यक्तिनात्मक धारित आधेयतुलन प्रभाव है। लाइट इमिटिंग डायोड तोलन परिणाम उपदर्शित करता है। उपकरण 230 बोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टारिंग प्लेट को सील करने के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोले जाने से रोकने के लिए भी सीलबंद किया जाएगा और मॉडल को बिक्री के पूर्व या उपरांत इसके सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, वर्किंग सिद्धान्त आदि के रूप में कोई परिवर्तन न किया जा सके।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 की रेंज में सत्य मापमान अन्तराल (1) कित 100 किलोग्राम से 200 किलोग्राम तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^8 , 2×10^8 या 5×10^8 , के हैं, जो धनात्मक ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(57)/2007]

आर. माधुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 13th June, 2008

S.O. 1968.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the models described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) (hereinafter referred to as the said Act) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument with digital indication (Person Weighing Machine-coin operated with or without ticket printing facility) of medium accuracy (Accuracy class-III) belonging to 'SWCS' series with brand name "SWISSER" (herein referred to as the said model), manufactured by M/s. Swisser Instruments, A-5/B-29, Gopal Nagar, Behind Jantanagar, Chandkheda, Gandhi Nagar—382 424, Gujarat and which is assigned the approval mark IND/09/07/130;

The said model is a strain gauge type load cell based weighing instrument with the maximum capacity of 150kg and minimum capacity is 400g. The verification scale interval (e) is 20g. The display is of Light Emitting Diode (LED) type. The instrument operates on 230Volts, 50Hertz alternativve current power supply.



In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity in the range of 100kg to 200kg with verification scale interval (n) in the range of 500 to 10000 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being a positive or nagative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (57)/2007]

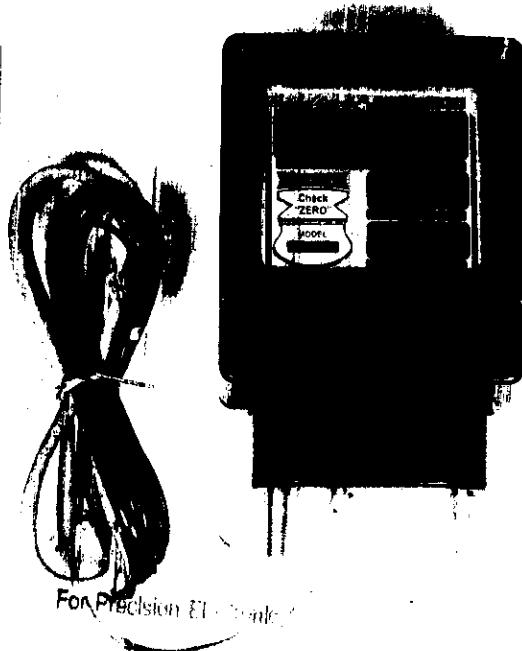
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 13 जून, 2008

का.आ. 1969.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट तथा माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बाट की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थीता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैरसेन इलैक्ट्रोनिक इंस्टूमेंट्स कंपनी, एच-45, उद्योग नगर, पीरागढ़ी, नई दिल्ली-110041 द्वारा विनिर्मित 'जी पी एम टी' शृंखला के अकेले सूचक बाले 'टैक्सी/ओटो किराया मीटर' के मॉडल का, जिसके ब्राइंड का नाम 'गोल्ड टेक' है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/08/98 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है;

'टैक्सी/ओटो किराया मीटर' का उक्त मॉडल जिसमें मुद्रण सुविधा भी है, एक गणक उपकरण है जो लगातार योग करता है और यात्रा के किसी भी क्षण का किराया दर्शाता है जो लिए गए समय पर कठिपय स्पीड से कम तय की गई दूरी के लिए सार्वजनिक वाहन के पैसेंजर द्वारा भुगतान किया जाता है। जो कि प्राधिकृत टैरिक के अनुसार अनुपूरक प्रभारों से अलग होता है। मीटर की रिटिंग लाइट इमिटिंग डायोड से प्रदर्शित होती है। टैक्सी/ओटो किराया मीटर का 'के' फेक्टर 1380 पल्स प्रति किलोमीटर है।



आकृति : माडल के सीलिंग प्रावधान का सीलिंग डायग्राम

लीड और सील तार के कपटपूर्ण उपयोग से बचने के लिए मीटर के पीछे की ओर से खुले स्क्रू बोल्ट पर सीलिंग बिन्दु लगाया जाता है। मॉडल के सीलिंग प्रावधान के टाइपिंकल स्कीमेटिक डायग्राम ऊपर दिया गया है।

[फा. सं. डब्ल्यू एम-21(51)/2008]

आर. माधुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 13th June, 2008

S.O. 1969.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of "Taxi/Auto Fare Meter" with digital indication (hereinafter referred to as the said model) of "GPMT" series with brand name "GOLD TECH" manufactured by M/s. Precision Electronic Instruments Co., H-45, Udyog Nagar, Peera Garhi, New Delhi-110041 and which is assigned the approval mark IND/09/08/98;

The said Model of "Taxi/Auto Fare Meter" with printer facility is a measuring instrument which totalizes continuously and indicates the fare, at any moment of journey, the charges payable by the passenger of a public vehicle as function of the distance traveled, and below a certain speed on the length of the time taken, this being independent of supplementary charges according to the authorized tariffs. The reading of the meter is indicated by Light Emitting Diode (LED). The 'K' factor of the Taxi/Auto Fare Meter is 1380 pulses per kilometer.

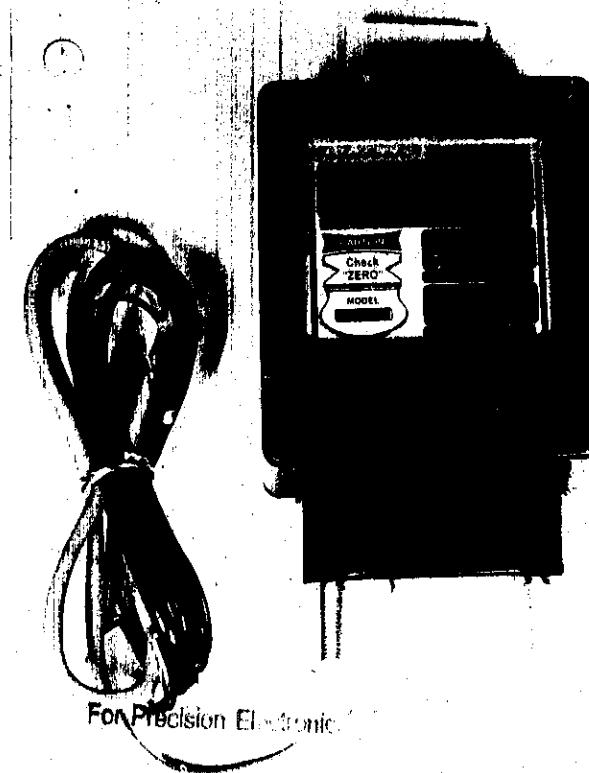


Figure-2 Sealing diagram of the sealing provision of the model

Sealing point is affixed on the opening screw-bolt of the rear side of the meter to avoid fraudulent use with lead and seal wire. A typical schematic diagram of sealing provision of the Model is given above.

[F. No. WM-21 (51)/2008]

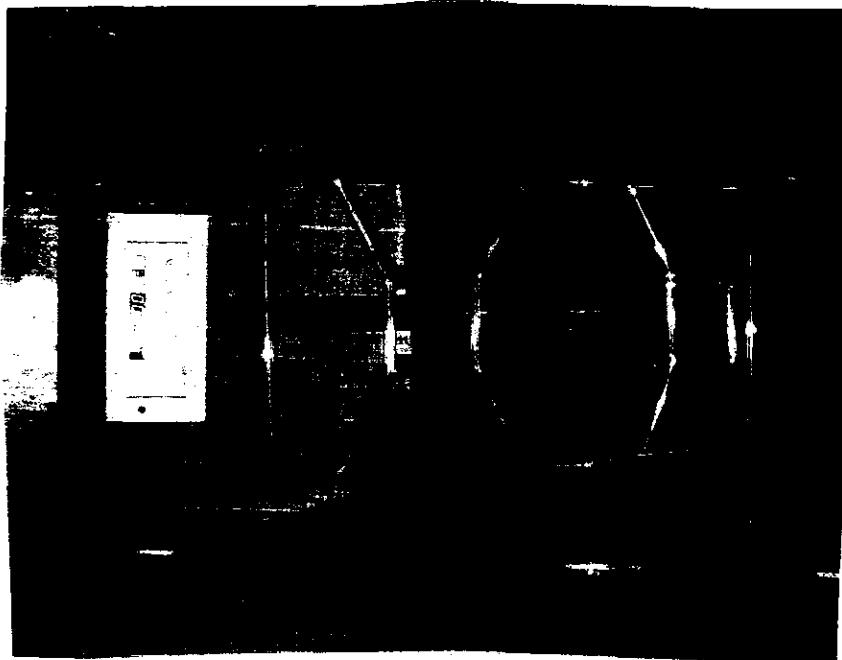
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 13 जून, 2008

का.श्व. 1970.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों को प्रयोग करते हुए मैसर्स विक्टोरी स्केल्स, ओल्ड नं. 15, न्यू नं. 128ए, कनागी नगर, दूसरी गली, कोलाथुर, चेन्नई-600099, तमिलनाडु द्वारा विनिर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग-III) वाले 'बी एस पी' शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्राइंड का नाम 'विनर' है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2008/85 समनुरूपित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है;

उक्त मॉडल (नीचे दी गई आकृति देखें) एक विकृत गेज अप्रूपण तुलादण्ड प्रकार का भार सैल आधारित अस्वचालित (प्लेटफार्म प्रकार का) तोलन उपकरण है। इसकी अधिकतम क्षमता 1000 किलोग्राम है और न्यूनतम क्षमता 4 किलोग्राम है। सत्यापन मापमान अंतराल (ई) 200 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एलईडी) प्रदर्श तोलन परिणाम उपर्युक्त करता है। उपकरण 230 वोल्ट और 50 हर्डर्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-2 मॉडल के सूचक को सीलबंद करने का उपबंध

तुला को सील करने के लिए इसके तल प्लेट और ऊपरी कवर पर छेद किए जाएंगे और सीसायुक्त तार को स्टॉप और सील के सत्यापन प्राप्त करने कि लिए इन छेदों में कसा जाएगा। सील को तोड़े बिना उपकरण को खोला नहीं जा सकेगा। मॉडल को सीलबंद करने का एक प्रारूप योजनावद्द डाइग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के बैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 किलोग्राम से अधिक और 5000 किलोग्राम तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^x , 2×10^x या 5×10^x , के हैं, जो धनात्मक या ऋणात्मक पूर्णक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(23)/2008]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 13th June, 2008

S.O. 1970.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of medium accuracy (Accuracy class-III) of series "VSP" and with brand name "WINNER" (hereinafter referred to as the said model), manufactured by M/s. Victory Scales, Old No. 15, New No. 128 A, Kannagi Nagar, 2nd Street, Kolathur, Chennai-600099, Tamil Nadu and which is assigned the approval mark IND/09/08/85;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 1000 kg. and minimum capacity is 4 kg. The verification scale interval (e) 200 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

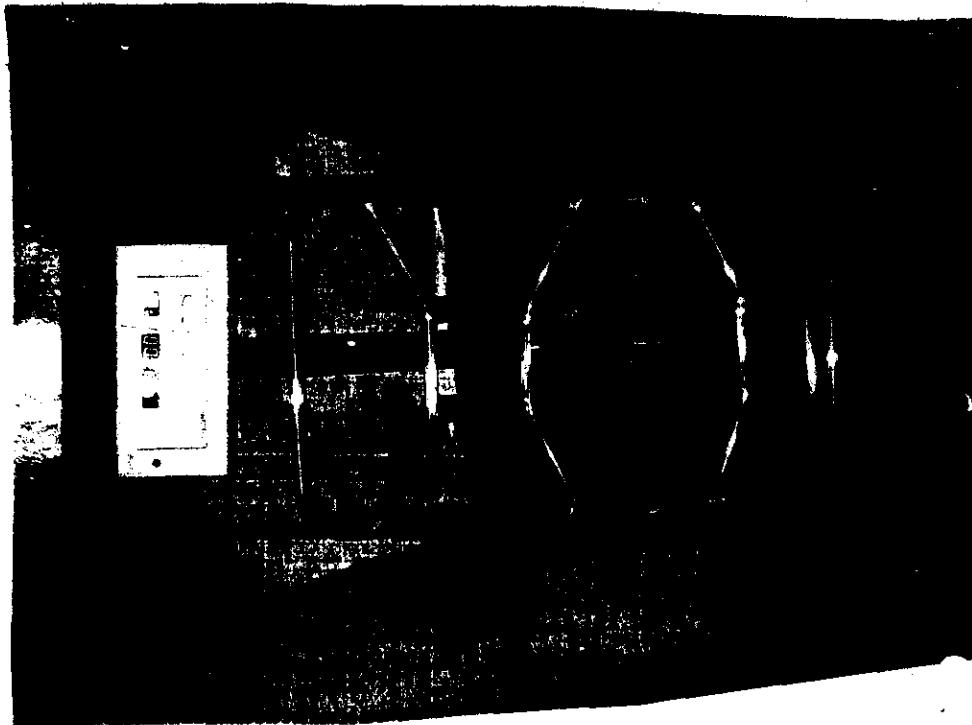


Figure-2 Sealing provision of the indicator of model

For sealing the indicator of the balance, holes are made at the bottom plate and the upper cover, and a leaded wire is fastened through these holes for receiving the verification stamp and seal. The instrument cannot be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity above 50 kg. and upto 5000 kg. with verification scale interval (n) in the range of 500 to 10,000 for ' e ' value of 5 g. or more and with ' e ' value of 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (23)/2008]

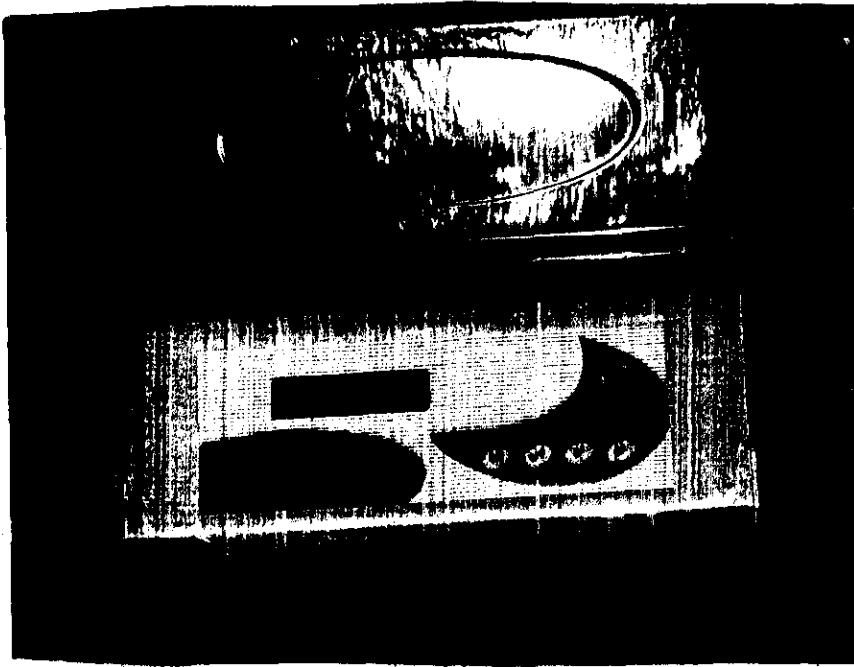
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 13 जून, 2008

का.आ. 1971.—केन्द्रीय सरकार का, विहित प्रधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

आः; अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए [मैसर्स विक्टरी स्केल्स, ओल्ड नं. 15, न्यू नं. 128ए, कन्नागी नगर, दूसरी गली, कोलाथुर, चेन्नई-600099, तमिलनाडु द्वारा विनिर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग-III) वाले 'वी एस टी' शृंखला के अंकक सूचन सहित अस्वचालित तौलन उपकरण (टेबलटाप प्रकार) के मॉडल का, जिसके छाण्ड का नाम 'विनर' है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2008/86 समरुद्धित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है;

उक्त मॉडल (नीचे दी गई आकृति देखें) एक विकृत गेज अपरूपण तुलादण्ड प्रकार का भार सेल आधारित अस्वचालित (टेबलटाप प्रकार का) तौलन उपकरण है। इसकी अधिकतम क्षमता 30 किलोग्राम और न्यूनतम क्षमता 100 ग्राम है। सत्यापन मापमान अंतराल (ई) 5 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शात प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तौलन परिणाम उपर्युक्त करता है। उपकरण 230 वोल्ट, और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-2 मॉडल के सूचक को सीलबंद करने का उपबंध

तुला को सील करने के लिए इसके तल प्लेट और ऊपरी कवर पर छेद किए जाएंगे और सीसायुक्त तार को स्टॉप और सील के सत्यापन प्राप्त करने किंतु लिए इन छेदों में कसा जाएगा। सील को तोड़े बिना उपकरण को खोला नहीं जा सकेगा। मॉडल को सीलबंद करने का एक प्रारूप योजनाबद्ध डाइग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तौलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 मि. ग्रा. तक 'ई' मान के लिए 500 से 10,000 तक के रेंज में सत्यापन अंतराल (एन) और 5 ग्राम या उससे अधिक के "ई" मान के लिए 100 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 किलोग्राम तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^4 , 2×10^4 या 5×10^4 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(23)/2008]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 13th June, 2008

S.O. 1971.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Tabletop type) with digital indication of "VST" series of medium accuracy (accuracy class-III) and with brand name "WINNER" (hereinafter referred to as the said model), manufactured by M/s. Victory Scales, Old No. 15, New No. 128 A, Kannagi Nagar, 2nd Street, Kolathur, Chennai-600099, Tamil Nadu and which is assigned the approval mark IND/09/08/86;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Tabletop type) with a maximum capacity of 30 kg. and minimum capacity is 100 g. The verification scale interval (e) is 5 g. It has a tare device with a 100 per cent subtractive retained tare effect. The light emitting Diode (LED) display indicates the weighing results. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.



Figure-2 Sealing provision of the indicator of model

For sealing the balance, holes are made at the bottom plate and the upper cover, and a leaded wire is fastened through these holes for receiving the verification stamp and seal. The instrument cannot be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity up to 50 kg. with verification scale interval (n) in the range of 100 to 10,000 for ' e ' value of 100 mg. to 2 g. and with verification scale interval (n) in the range of 500 to 10,000 for ' e ' value of 5 g. or more and with ' e ' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

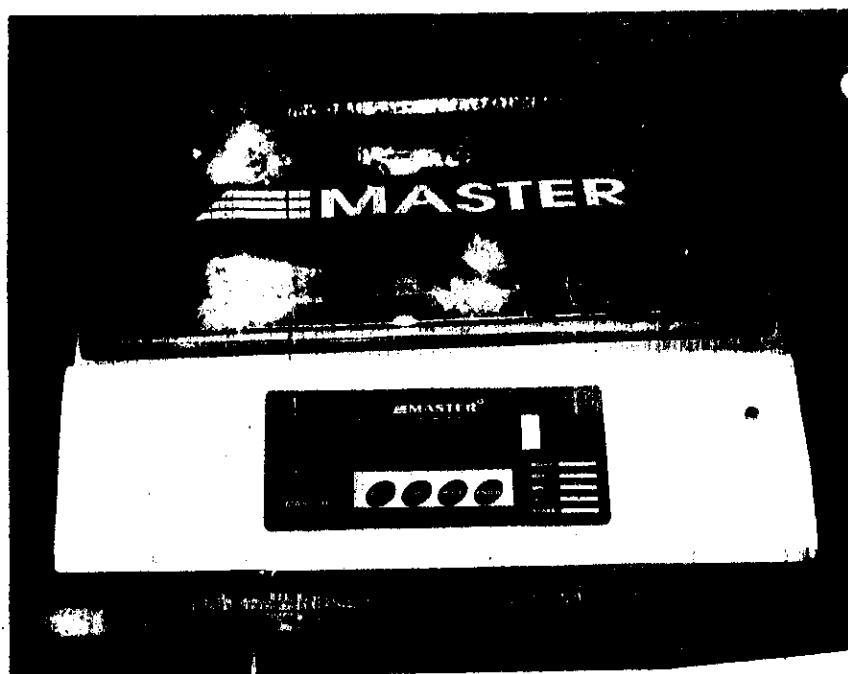
[F. No. WM-21 (23)/2008]
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 13 जून, 2008

का.आ. 1972.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आमृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (भौंडलों का अनुमोदन) नियम, 1987 के इन दोनों अनुपात हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बमाए रखेगा और विभिन्न परिस्थीतों में अनुप्रूप संभव प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स जी.आर.बी. स्केल सर्विस, नं. 17/52, अम्नाइयाम्प्ल स्ट्रीट, पुलियाथोपे, चेन्नई-600012, तमिलनाडु द्वारा विनिर्मित उच्च यथार्थता (यथार्थता भाग II) के “जी आर बी-जेपी” शृंखला के अस्वचालित, अंकक संचयन सहित तोलन उपकरण (टेबलटाप प्रकार) जिसके ब्रांड का नाम “मास्टर” है (जिसे इसके पश्चात् उक्त मॉडल कहा गया है) जिसे अनुप्रौदन चिह्न आई एन डी/09/08/92 समनुरेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित (टेबलटाप प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि.ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यक्तिलात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



सूचक को सील करने के लिए इसके तल प्लेट और ऊपरी कवर पर दाईं तरफ से छेद किए जायेंगे तथा स्टाम्प और सील का सत्यापन करने के लिए इन छेदों के जरिये एक सीसायुक्त तार कसी जायेगी। सील को तोड़े बिना उपकरण को खोला नहीं जा सकेगा। माडल को सीलवंद करने का एक प्रांरूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माण दिजाइन के अनुसार और उसी सापरी से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के बैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो। मि. ग्रा. से 50 मि. ग्रा. तक के “ई” मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि. ग्रा. या उससे अधिक के “ई” मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 120 ग्रा. से 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^6 , 2×10^6 या 5×10^6 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फ. सं. डब्ल्यू. एम-21(25)/2008]
आर. माधुरबूधम, निदेशक, विधिक भाषा विज्ञान

New Delhi, the 13th June, 2008

S.O. 1972.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of high accuracy (Accuracy Class II) series "GRB" and with brand name "MASTER" (hereinafter referred to as the said model), manufactured by M/s. G. R. B. Scale Service, No. 17/52, Ammaiammal Street, Puliathope, Chennai-600012, Tamil Nadu and which is assigned the approval mark IND/09/08/92.

The said model is a strain gauge type load cell based non-automatic weighing instrument with a maximum capacity of 30 kg and minimum capacity of 100g. The verification scale interval (e) is 2g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternate current power supply.



For sealing holes are made at the bottom plate and the upper cover of the weighing instrument from the right side, and fastened a leaded wire through these holes for receiving the verification stamp and seal. The instrument cannot be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity up to 50kg with verification scale interval (n) in the range of 100 to 50,000 for ' e ' value of 1mg to 50mg and with verification scale interval (n) in the range of 5000 to 50,000 for ' e ' value of 100mg, or more and with ' e ' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(25)/2008]

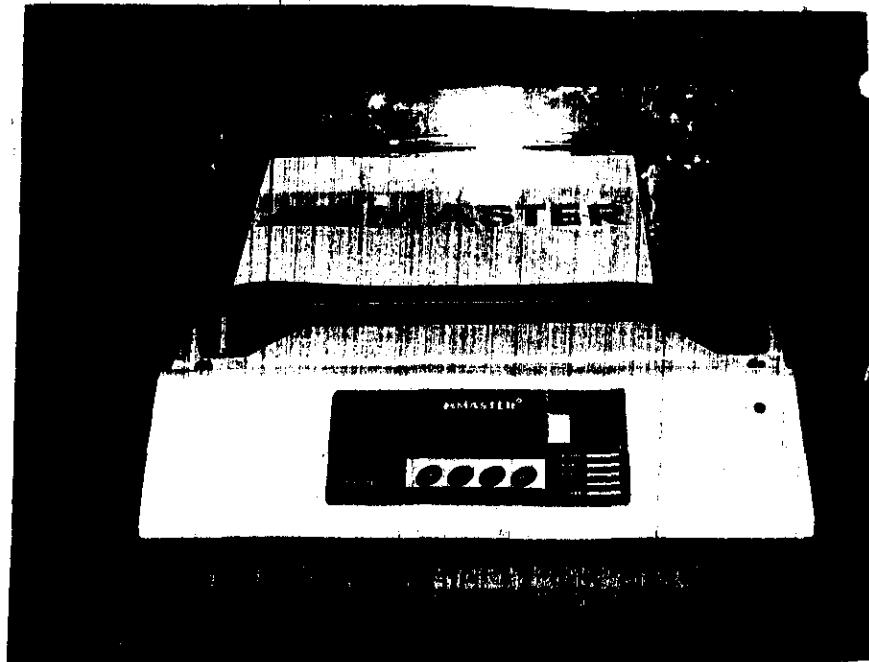
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 13 जून, 2008

का.आ. 1973.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा शक्तियों को प्रयोग करते हुए, मैसर्स जी.आर.बी. स्केल सर्विस, नं. 17/52, अभ्माइयाम्प्ल स्ट्रीट, पुलियाथोपे चेन्नई-600012, तमिलनाडु द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) के “जी आर बी-टी बी” शृंखला के अस्वचालित, अंकक संचन सहित तोलन उपकरण (प्लेटफार्म प्रकार) जिसके ब्रांड का नाम “पास्टर” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) जिसे अनुमोदन चिह्न आई एन डी/09/08/93 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित (प्लेटफार्म प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि.ग्रा. है और न्यूनतम क्षमता 100 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यक्तिनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्टज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



भूचक को सील करने के लिए इसके तल प्लेट और ऊपरी कवर पर दाईं तरफ से छेद किए जायेंगे तथा स्टाम्प और सील का सत्यापन करने के लिए इन छेदों के जरिये एक सीसायुक्त तार कसी जायेगी। सील को तोड़े बिना उपकरण को खोला नहीं जा सकेगा। मॉडल को सीलवंद करने का एक प्रारूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के बैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्र. तक के “ई” मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^3 , 2×10^3 , 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(25)/2008]
आर. माधुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 13th June, 2008

S.O. 1973.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type), with digital indication of "GRB—TB" series of medium accuracy (accuracy class-III) and with brand name "MASTER" (hereinafter referred to as the said model), manufactured by M/s. G. R. B. Scale Service, No. 17/52, Ammaiammal Street, Puliathope, Chennai-600012, Tamil Nadu and which is assigned the approval mark IND/09/08/93;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 30 kg and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.



For sealing holes are made at the bottom plate and the upper cover of the weighing instrument from the right side, and fastened a leaded wire through these holes for receiving the verification stamp and seal. The instrument cannot be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50 kg with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100mg to 2g and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (25)/2008]

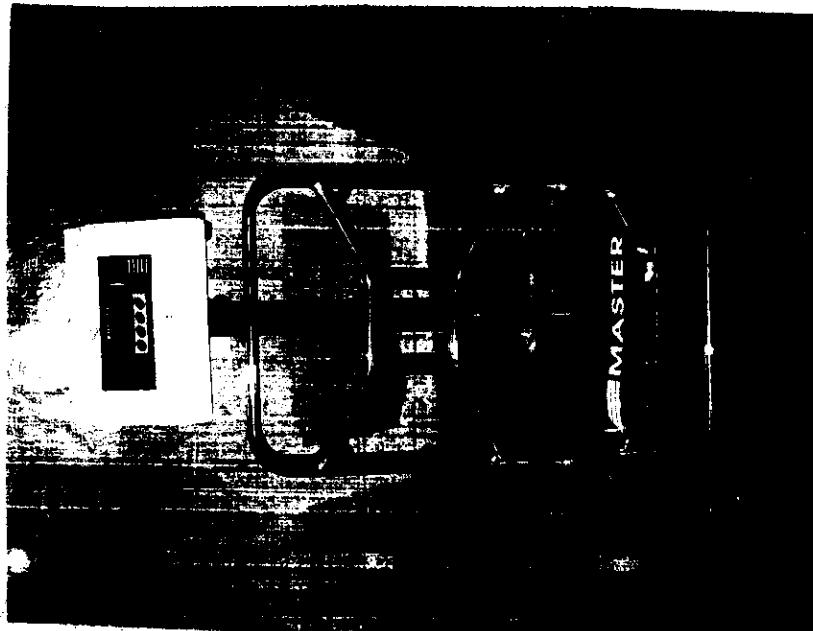
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 13 जून, 2008

का.आ. 1974.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों को प्रयोग करते हुए मैसर्स: जी.आर.बी. स्केल सर्विस, नं. 17/52, अम्माइयाम्मल स्ट्रीट, पुलियाथोपे, चेन्नई-600012, तमिलनाडु द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) के “जी आर बी-पीटी” शृंखला के अस्वचालित, अंकक सूचन सहित तोलन उपकरण (प्लेट फार्म टाइप) जिसके ब्रांड का नाम “मास्टर” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है), जिसे अनुमोदन चिह्न आई एन डी/09/08/94 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित (प्लेटफार्म टाइप) तोलन उपकरण है। इसकी अधिकतम क्षमता: 1000 कि.ग्रा. है और न्यूनतम क्षमता 4 ग्रा. है। सत्यापन मापमान अंतराल (ई) 200 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपरिंगत करता है। उपकरण 230 बोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



सूचक को सील करने के लिए इसके तल प्लेट और ऊपरी कवर पर दाईं तरफ से छेद किए जायेंगे तथा स्टाम्प और सील का सत्यापन करने के लिए इन छेदों के जरिये एक सीसायुक्त तार कसी जायेगी। सील को तोड़े बिना उपकरण को खोला नहीं जा सकेगा। मॉडल को सीलवंद करने का एक प्रारूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के बैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से अंगक और 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^6 , 2×10^6 या 5×10^6 , के हैं, जो धनात्मक या ऋणात्मक प्रणाली या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम 21(25)/2008]

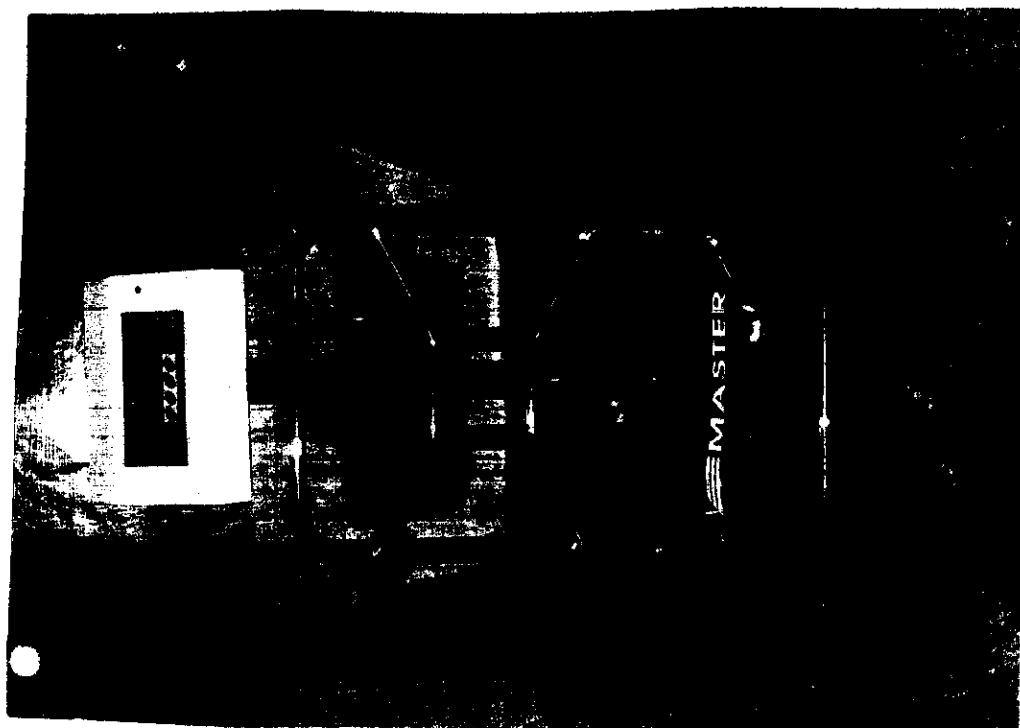
आर. माधुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 13th June, 2008

S.O. 1974.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of medium accuracy (Accuracy Class-III) of series "GRB-PT" and with brand name "MASTER" (hereinafter referred to as the said model), manufactured by M/s. G. R. B. Scale Service, No. 17/52; Ammaiammal Street, Puliathope, Chennai-600012, Tamil Nadu and which is assigned the approval mark IND/09/08/94;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 1000 kg. and minimum capacity of 4 kg. The verification scale interval (e) is 200g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.



For sealing holes are made at the bottom plate and the upper cover of the indicator from the right side, and fastened a leaded wire through these holes for receiving the verification stamp and seal. The instrument can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50 kg. and up to 5000 kg. with verification scale interval (n) in the range of 500 to 10,000 for ' e ' value of 5g. or more and with ' e ' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (25)/2008]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 13 जून, 2008

का.आ. 1975.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों को प्रयोग करते हुए मैसर्स जी.आर.बी. स्केल सर्विस, नं. 17/52, अम्माइयाम्प्ल स्ट्रीट, पुलियाथोपे, चेन्नई-600012, तमिलनाडु द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) के “जी आर बी-एच एस” शृंखला के अस्वचालित, अंकक सूचन सहित तोलन उपकरण (हैंगिंग टाइप) जिसके ब्रांड का नाम “मास्टर” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) जिसे अनुमोदन चिह्न आई एन डी/09/08/95 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित (हैंगिंग टाइप) तोलन उपकरण है। इसकी अधिकतम क्षमता 100 कि.ग्रा. है और न्यूनतम क्षमता 400 ग्रा. है। सत्यापन मापमान अंतराल (ई) 20 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



सूचक को सील करने के लिए इसके तल प्लेट और ऊपरी कंवर पर दाईं तरफ से छेद किए जायेंगे तथा स्टाम्प और सील का सत्यापन करने के लिए इन छेदों के जरिये एक सीसायुक्त तार कसी जायेगी। सील को तोड़े बिना उपकरण को खोला नहीं जा सकेगा। मॉडल को सीलबंद करने का एक प्रारूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मैक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. से अधिक और 500 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^6 , 2×10^6 या 5×10^6 , के हैं, जो धनात्मक या ऋणात्मक पृष्ठीय या शून्य के समतुल्य हैं।

[फ. सं. डब्ल्यू एम-21(25)/2008]

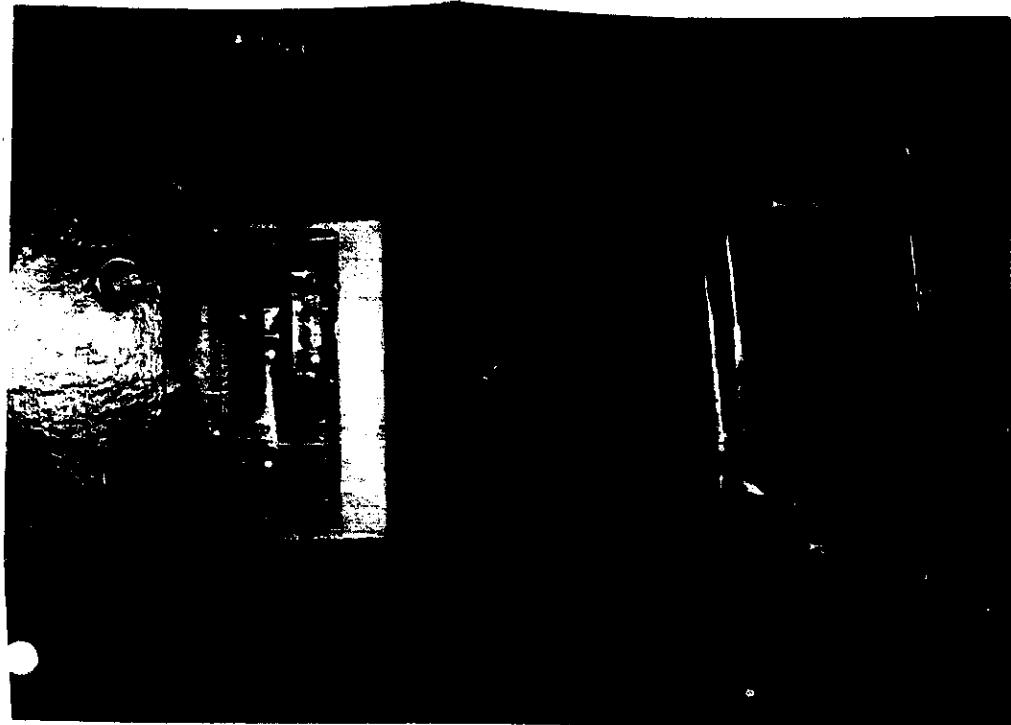
आर. माथुरबृथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 13th June, 2008

S.O. 1975.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Hanging type) with digital indication of medium accuracy (Accuracy Class-III) of series "GRB-HS" and with brand name "MASTER" (hereinafter referred to as the said model), manufactured by M/s. G. R. B. Scale Service, No. 17/52, Ammaiammal Street, Puliathope, Chennai-600012, Tamil Nadu and which is assigned the approval mark IND/09/08/95;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Hanging type) with a maximum capacity of 100 kg and minimum capacity of 400g. The verification scale interval (e) is 20g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.



For sealing holes are made at the bottom plate and the upper cover of the indicator from the right side, and fastened a leaded wire through these holes for receiving the verification stamp and seal. The instrument can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50kg and up to 500kg with verification scale interval (n) in the range of 500 to 10,000 for ' e ' value of 5g or more and with ' e ' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (25)/2008]

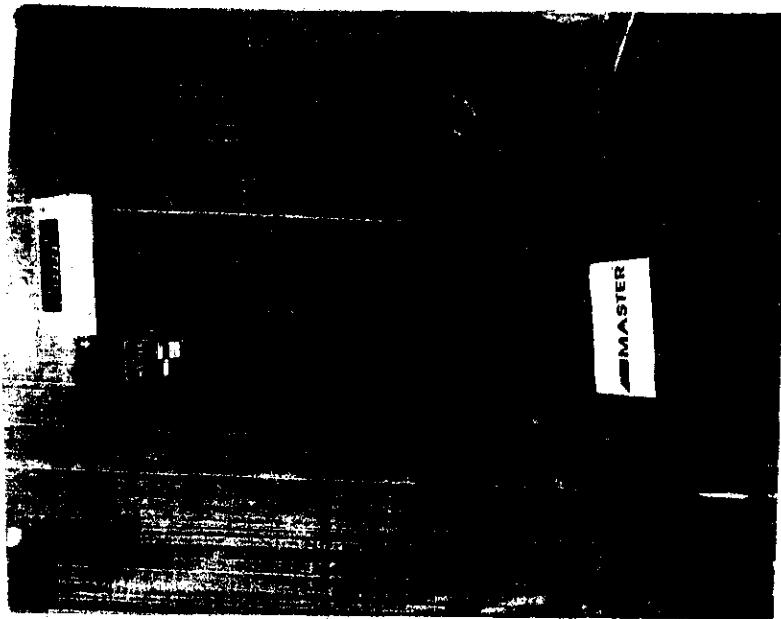
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 13 जून, 2008

का.आ. 1976.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में विभिन्न मॉडल (नीचे दी गई अकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपरोक्त के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल व्याख्या बनाए रखेगा और विभिन्न परिस्थितों में उपयुक्त सेवा प्रदान करता रहेगा;

अब, अब, केन्द्रीय सरकार, उक्त आधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों को प्रयोग करते हुए गैरिस जी.आर.बी. स्केल सर्विस, नं. 17/52, अम्पाइगामल स्ट्रीट, पुलियाथोपे, चेन्नई-600012, तमिलनाडु द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) के “जी आर बी-पी सी” शृंखला के अस्वचालित, अंकक सूचन राहित तोलन उपकरण (प्लेटफार्म कन्वर्सन किट टाइप) जिसमें ब्रांड का नाम “मास्टर” है (जिसे इसके पश्चात् उक्त मॉडल कहा गया है) जिसे अनुमोदन चिह्न आई एन डी/09/08/96 समनुदेशित किया गया है; अनुमोदन प्रमाण-पत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित (प्लेटफार्म कन्वर्सन किट टाइप) तोलन उपकरण है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. है और न्यूनतम क्षमता 4 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 200 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



सूचक को सील करने के लिए इसके तल प्लेट और ऊपरी कवर पर दाईं तरफ से छेद किए जायेंगे तथा स्टाम्प और सील का सत्यापन करने के लिए इन छेदों के जरिये एक सीसायुक्त तार कसी जायेगी। सील को तोड़े बिना उपकरण को खोला नहीं जा सकेगा। मॉडल को सीलबंद करने का एक प्रारूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिङ्गांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 कि. ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. से अधिक और 3000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^4 , 2×10^4 या 5×10^4 , के हैं, जो धनात्मक या ऋणात्मक घूर्णक दर गूम्ह के समरूप हैं।

[फा. सं. डब्ल्यू. एम-21(25)/2008]

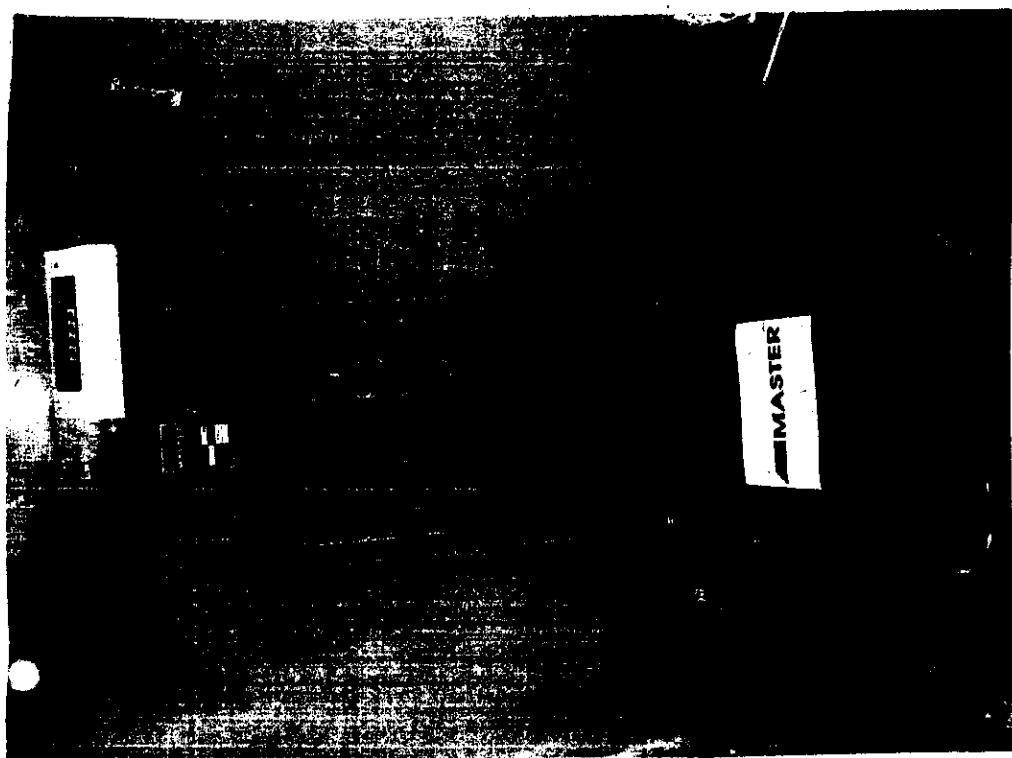
आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 13th June, 2008

S.O. 1976.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform conversion kit type) with digital indication of medium accuracy (Accuracy Class-III) of series "GRB-PC" and with brand name "MASTER" (hereinafter referred to as the said model), manufactured by M/s. G. R. B. Scale Service, No. 17/52, Ammaiammal Street, Puliathope, Chennai-600012, Tamil Nadu and which is assigned the approval mark IND/09/08/96;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform conversion kit type) with a maximum capacity of 1000 kg and minimum capacity of 4kg. The verification scale interval (e) is 200g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.



For sealing holes are made at the bottom plate and the upper cover of the indicator from the right side, and fastened a leaded wire through these holes for receiving the verification stamp and seal. The instrument can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50kg and up to 5000kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (25)/2008]

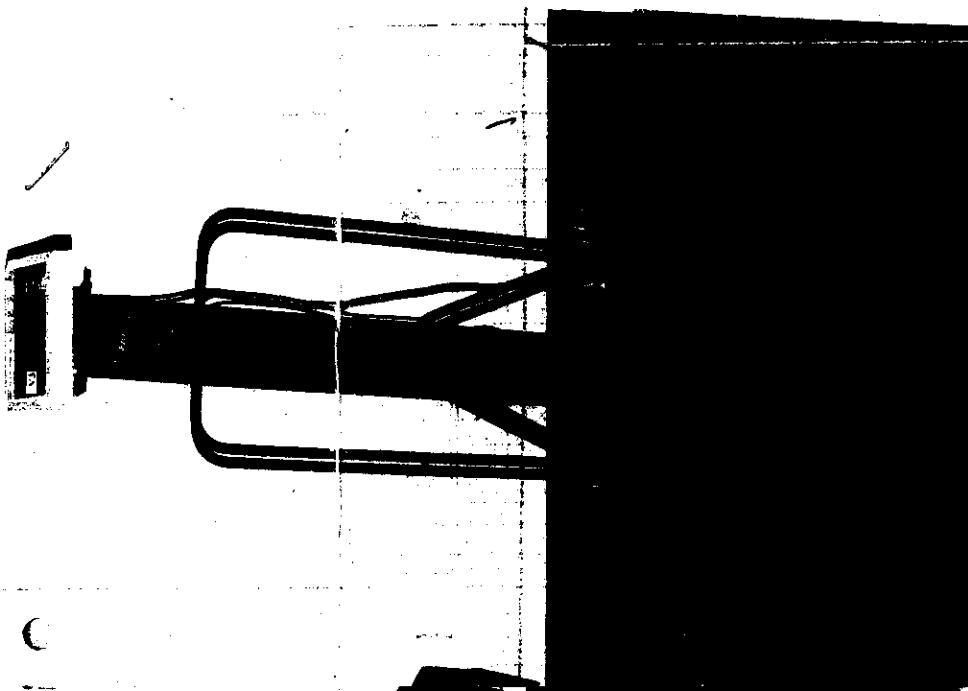
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 16 जून, 2008

का.आ. 1977.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों को प्रयोग करते हुए ऐसर्स श्री 3 इलैक्ट्रोनिक्स इंडिया, 344, के.पी.सी. नगर, बैल्लाकोविल-628111, जिला-इरोड, तमिलनाडु द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) के “वी 3-सी” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म हेतु कन्वर्सन किट-हाईब्रिड टाइप) और जिसके बांड का नाम “वी 3” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) जिसे अनुमोदन चिह्न आई एन डी/09/07/260 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म हेतु कन्वर्सन किट-हाईब्रिड टाइप) है। इसकी अधिकतम क्षमता 300 कि.ग्रा. है और न्यूनतम क्षमता 2 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यक्लनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) तोलन परिणाम उपदर्शित करता है। उपकरण 230 बोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टेपिंग प्लेट को सील करने के अलावा गलत अनुप्रयोगों को रोकने के लिए भी मशीन को सील किया जाएगा। मॉडल की सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, कार्य करने के सिद्धांत आदि की शर्तों में बिक्री से पहले अथवा बाद में कोई परिवर्तन नहीं किया जाना चाहिए।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 50 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. से अधिक और 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^4 , 2×10^4 या 5×10^4 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

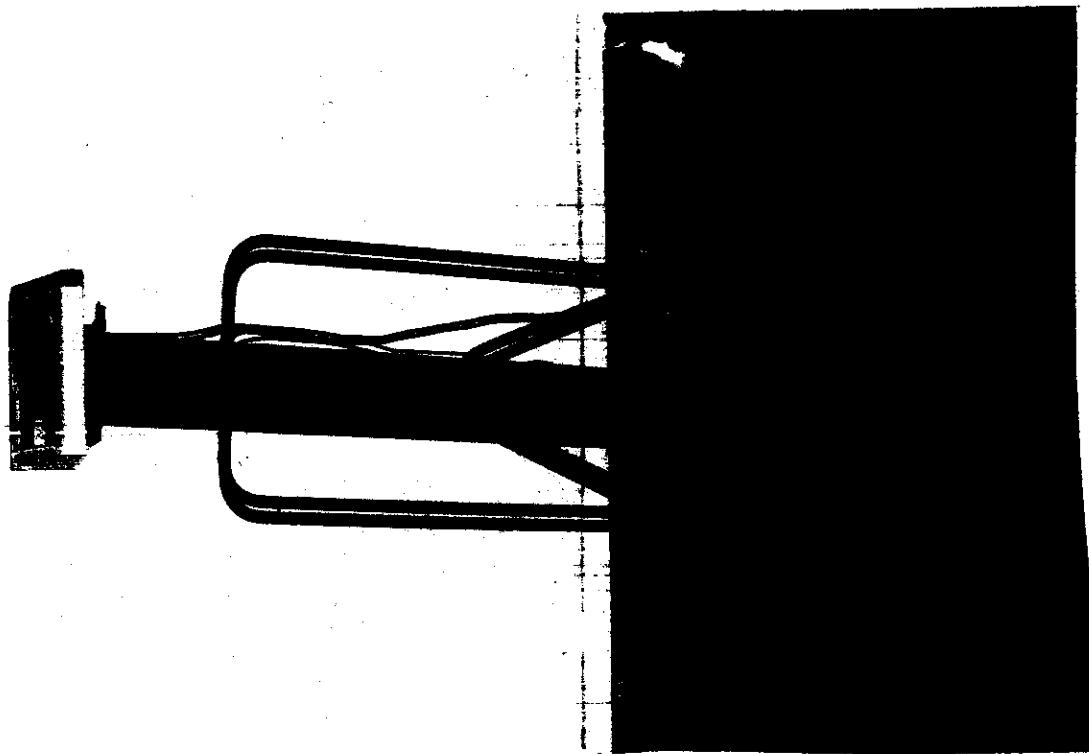
[फा. सं. डब्ल्यू एम-21(127)/2007]
आर. माधुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th June, 2008

S.O. 1977.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument with digital indication (Conversion Kit for Platform-Hybrid type) with "V3-C" series belonging to medium accuracy (Accuracy Class-III) and with brand name "V3" (hereinafter referred to as the said model), manufactured by M/s. V3 Electronics India, #344, K.P.C. Nagar, Vellakovil-628111, Erode (Dist.), Tamil Nadu and which is assigned the approval mark IND/09/07/260

The said model is a strain gauge type load cell based non-automatic weighing instrument (conversion Kit for platform-hybrid type) with a maximum capacity of 300 kg and minimum capacity of 2kg. The verification scale interval (e) is 100g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternate current power supply.



In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity above 50kg and up to 5000kg with number of verification scale interval (n) in the range of 500 to 10,000 for ' e ' value of 50g or more and with ' e ' value of 1×10^k , 2×10^k or 5×10^k , where k being the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

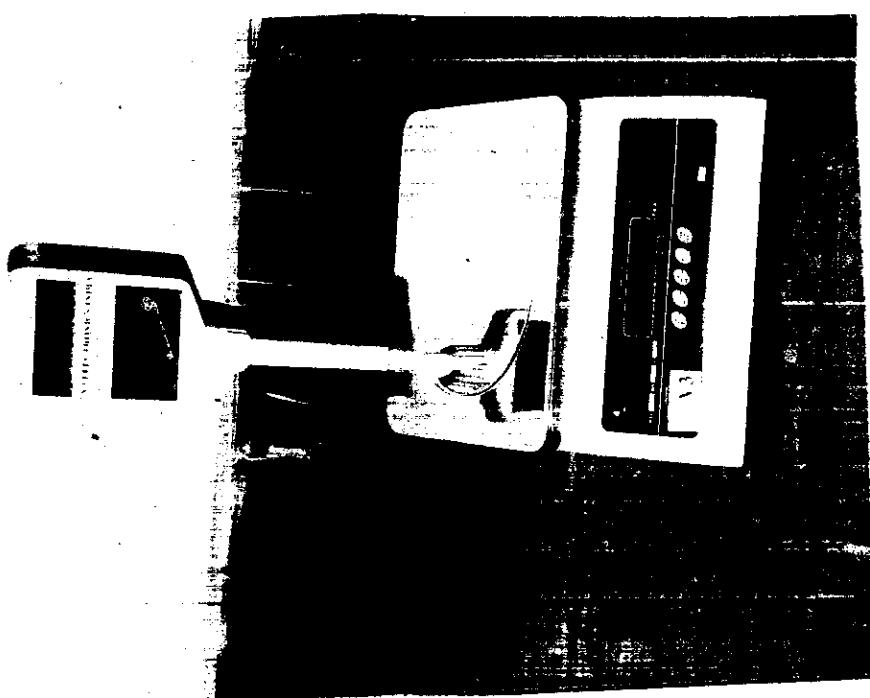
[F. No. WM-21 (127)/2007]
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 16 जून, 2008

का.आ. 1978.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों को प्रयोग करते हुए मैसरी दी 3 इलैक्ट्रोनिक्स इंडिया, 344, के.पी.सी. नगर, वेल्लाकोविल-628111, जिला-इरोड, तमिलनाडु द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-I) के “वी 3-टी” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) और जिसके ब्रांड का नाम “वी3” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) जिसे अनुमोदन चिह्न आई एन डी/09/07/258 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) है। इसकी अधिकतम क्षमता 30 किं.ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यक्तिनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) तोलन परिणाम उपर्युक्त करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टेपिंग प्लेट को सील करने के अलावा गलत अनुप्रयोगों को रोकने के लिए भी मशीन को सील किया जाएगा। मॉडल की सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, कार्य करने के सिद्धांत आदि की शर्तों में बिक्री से पहले अथवा बाद में कोई परिवर्तन नहीं किया जाना चाहिए।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह योषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्रा. तक के “ई” मान के लिए 100 से 10,000 तक की रेज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 के रेज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^3 , 2×10^3 या 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णक या शून्य के समानुल्य हैं।

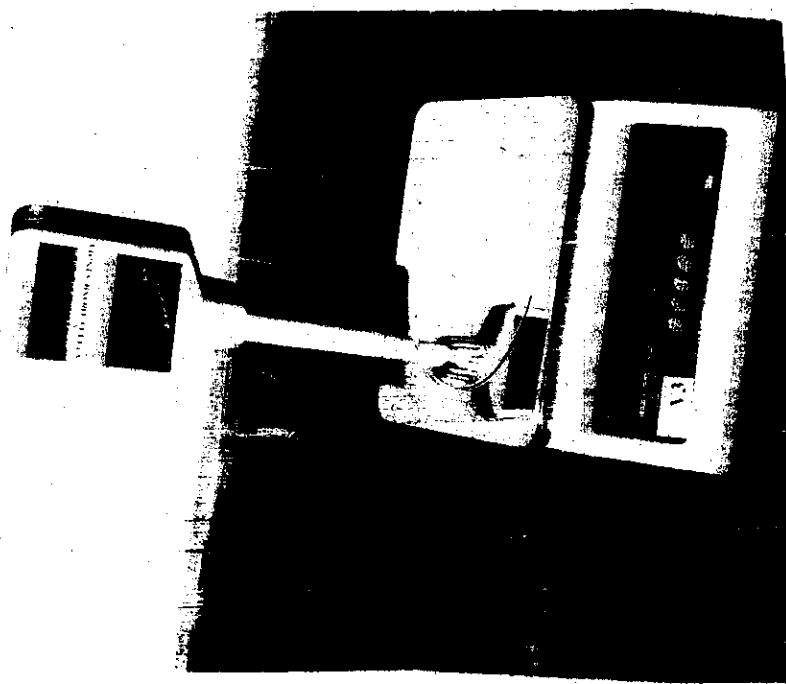
[फा. सं. डब्ल्यू एम-21(127)/2007
आर. माधुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th June, 2008

S.O. 1978.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model non-automatic (Table top type) weighing instrument with digital indication of "V3-T" series of medium accuracy (accuracy class-III) and with brand name "V3" (herein referred to as the said model), manufactured by M/s. V3 Electronics India, #344, K.P.C. Nagar, Vellakovil-628111, Erode (Dist.), Tamil Nadu and which is assigned the approval mark IND/09/07/258;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30 kg. and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.



In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

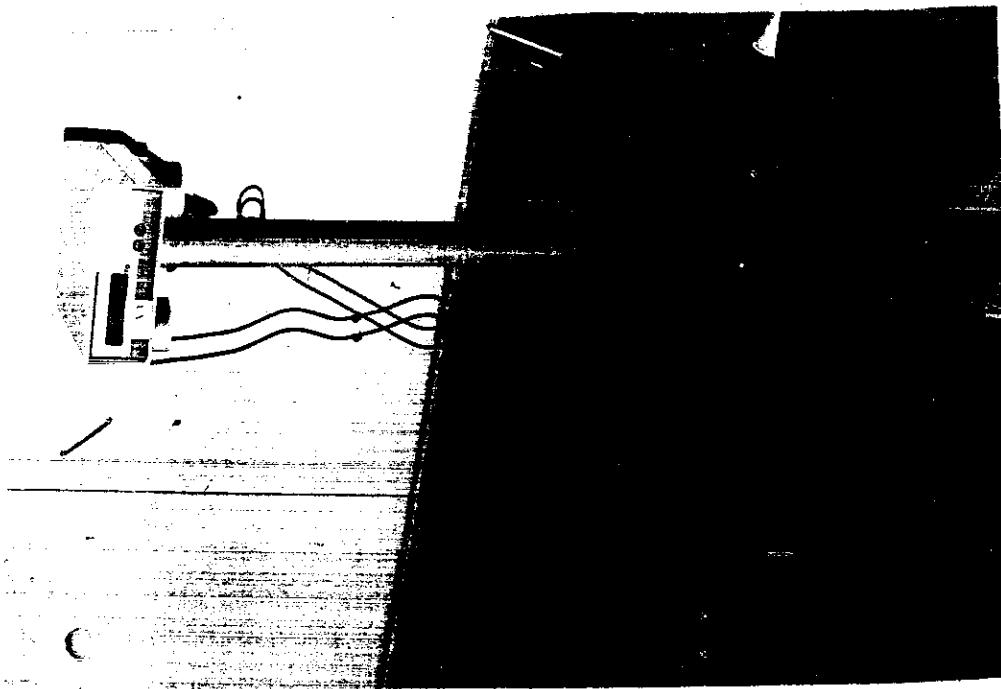
Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity up to 50kg. with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100mg. to 2g. or with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(127)/2007]
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 16 जून, 2008

का.आ. 1979.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों को प्रयोग करते हुए मैसर्झ वी3 इलैक्ट्रोनिक्स इंडिया, 344, के.पी.सी. नगर, बेल्लाकोविल-628111, जिला-इरोड, तमिलनाडु द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) के “वी 3-पी” शृंखला के अंकक सूचन सहित, स्वतः सूचक, अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) और जिसके ब्रांड का नाम “वी3” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) जिसे अनुमोदन चिह्न आई एन डी/09/07/259 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है;



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. है और न्यूनतम क्षमता 4 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 200 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यक्तलात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्ट्रिंग प्लेट को सील करने के अलावा गलत अनुप्रयोगों को रोकने के लिए भी मर्शीन को सील किया जाएगा। मॉडल की सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, कार्य करने के सिद्धांत आदि की शर्तों में बिक्री से पहले अथवा बाद में कोई परिवर्तन नहीं किया जाना चाहिए।

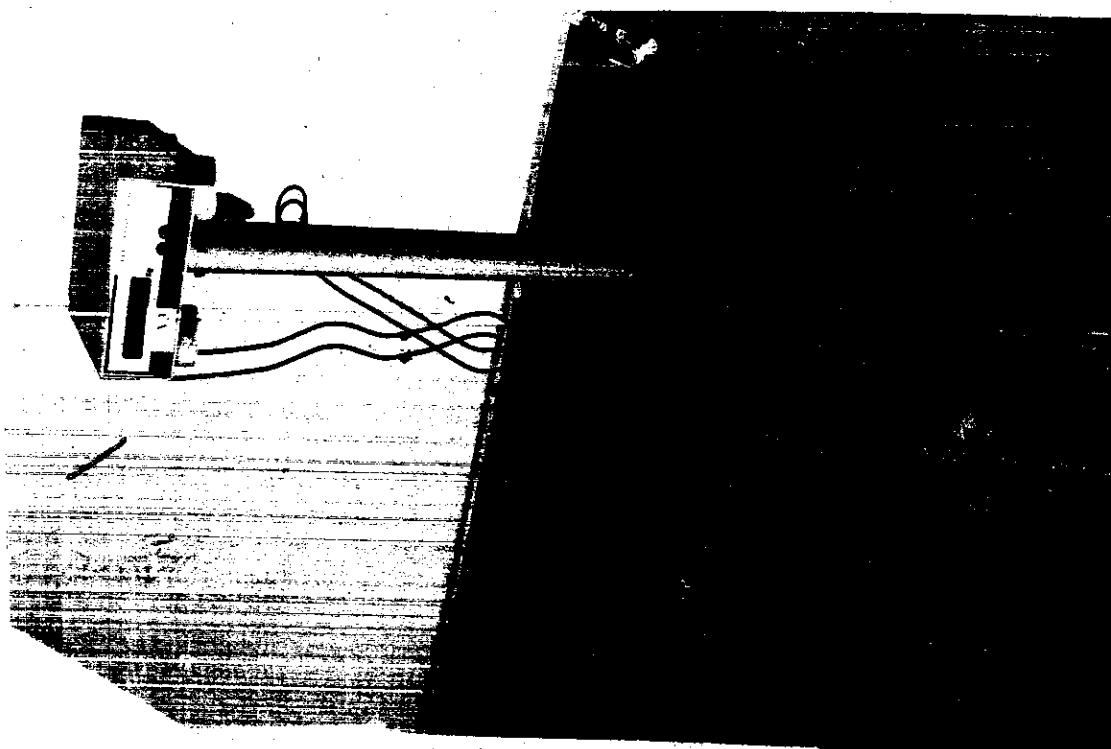
और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. से अधिक और 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^3 , 2×10^3 या 5×10^3 , के हैं, जो धनात्मक याऋणात्मक पूणीक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(127)/2007]
आर. माधुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th June, 2008

S.O. 1979.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (See the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of the self indicating non-automatic, (Platform type) weighing instrument with digital indication of "V3-P" series of medium accuracy (accuracy class-III) and with brand name "V3" (hereinafter referred to as the said model), manufactured by M/s. V3 Electronics India, #344, K.P.C. Nagar, Vellakovil-628111, Erode (Dist.), Tamil Nadu and which is assigned the approval mark IND/09/07/259;



The said model is a strain gauge type load cell based non-automatic weighing instrument with a maximum capacity of 1000 kg. and minimum capacity of 4kg. The verification scale interval (e) is 200g. It has a tare device with 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of same series with maximum capacity above 50kg. and up to 5000kg. and with number of verification scale interval (n) in the range of 500 to 10,000 for ' e ' value of 5g or more and with ' e ' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero manufactured by the same manufacturer with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (127)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 16 जून, 2008

का.आ. 1980.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों को प्रयोग करते हुए मैसर्स वीउ इलैक्ट्रोनिक्स इंडिया, 344, के.पी.सी. नगर, वेल्लाकोविल-628111, जिला-इंगोड, तमिलनाडु द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग II) के “बी 3-जे” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) और जिसके ब्रांड का नाम “बी3” है (जिसे इसके पश्चात् उक्त मॉडल कहा गया है) जिसे अनुमोदन चिह्न आई एन डी/09/07/257 समनुदेशित किया गया है, अनुमोदन प्रकाश-पत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. है और न्यूनतम क्षमता 100.ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 आ. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ड्ज प्रत्याखर्त्ता धारा विद्युत प्रदाय पर कार्य करता है।



स्टेंपिंग प्लेट को सील करने के अलावा गलत अनुप्रयोगों को रोकने के लिए भी मशीन को सील किया जाएगा। मॉडल की सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, कार्य करने के सिद्धांत आदि की शर्तों में बिक्री से पहले अथवा बाद में कोई परिवर्तन नहीं किया जाना चाहिए।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा. से 50 मि. ग्रा. के “ई” मान के लिए 100 से 50,000 की रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के “ई” मान के लिए 5000 से 50,000 की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^8 , 2×10^8 या 5×10^8 , के हैं, जो धनात्मक या ऋणात्मक या शून्य के समतुल्य हैं।

New Delhi, the 16th June, 2008

S.O. 1980.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Tabletop type) of digital indication with "V3-J" series belonging to high accuracy (accuracy class-II) and with brand name "V3" (hereinafter referred to as the said model), manufactured by M/s. V3 Electronics India, #344, K.P.C. Nagar, Vellakovil-628111, Erode (Dist.), Tamil Nadu and which is assigned the approval mark IND/09/07/257;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Tabletop type) with a maximum capacity of 30 kg and minimum capacity of 100g. The verification scale interval (e) is 2g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.



In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

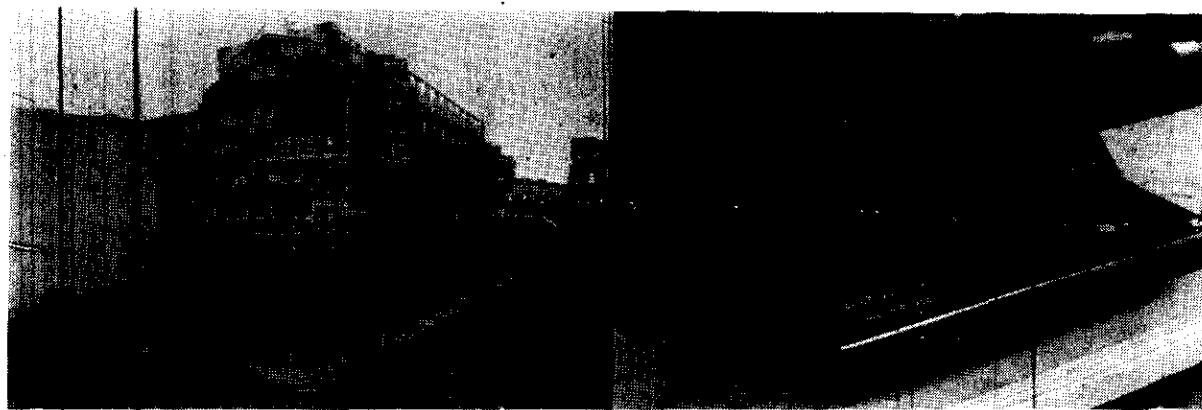
Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make and performance of same series with maximum capacity up to 50kg with verification scale interval (n) in the range of 100 to 50,000 for ' e ' value of 1mg to 50mg and with verification scale interval (n) in the range of 5000 to 50,000 for ' e ' value of 100mg or more and with ' e ' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (127)/2007]
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 16 जून, 2008

का.आ. 1981.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स साईंसन इंजीनियर्स, नं.26, अजन्ता काम्प्लेक्स, कनॉट प्लेस, द्वारा उठाया गया विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) के “एसएस-डब्ल्यूबीसी” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (वेगब्रिज हेतु कनवर्सन किट) और जिसके ब्रांड का नाम “साईंसन” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है), जिसे अनुमोदन चिह्न आई एन डी/09/07/98 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है;



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (वेगब्रिज हेतु कनवर्सन किट) है। इसकी अधिकतम क्षमता 40 टन है और न्यूनतम क्षमता 200 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 10 कि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टैंपिंग प्लेट को सील करने के अतिरिक्त गलत प्रयोग रोकने के लिए मंशीन को सील किया जाना चाहिए। मॉडल की सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, कार्य करने के सिद्धांत आदि की शर्तों में परिवर्तन नहीं किया जाना चाहिए।

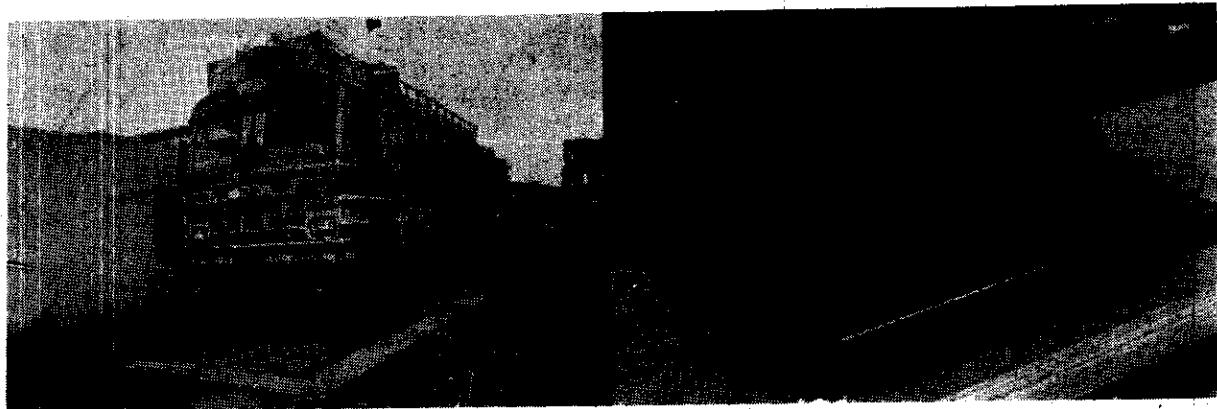
और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के बैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 टन से अधिक और 100 टन तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^4 , 2×10^4 या 5×10^4 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(28)/2007]
आर. माधुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th June, 2008

S.O. 1981.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of non-automatic weighing instrument (Conversion Kit for Weighbridge) with digital indication of "SS-WBC" series of medium accuracy (accuracy class-III) and with brand name "SAISUN" (herein referred to as the said model), manufactured by M/s. Saisun Engineers, No.26, Ajanta Complex, Cannaught Place, Town Centre, N-5, CIDCO, Aurangabad-431003, Maharashtra and which is assigned the approval mark IND/09/07/98;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Conversion Kit for Weighbridge) with a maximum capacity of 40 tonne and minimum capacity of 200kg. The verification scale interval (e) is 10kg. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent the opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc.

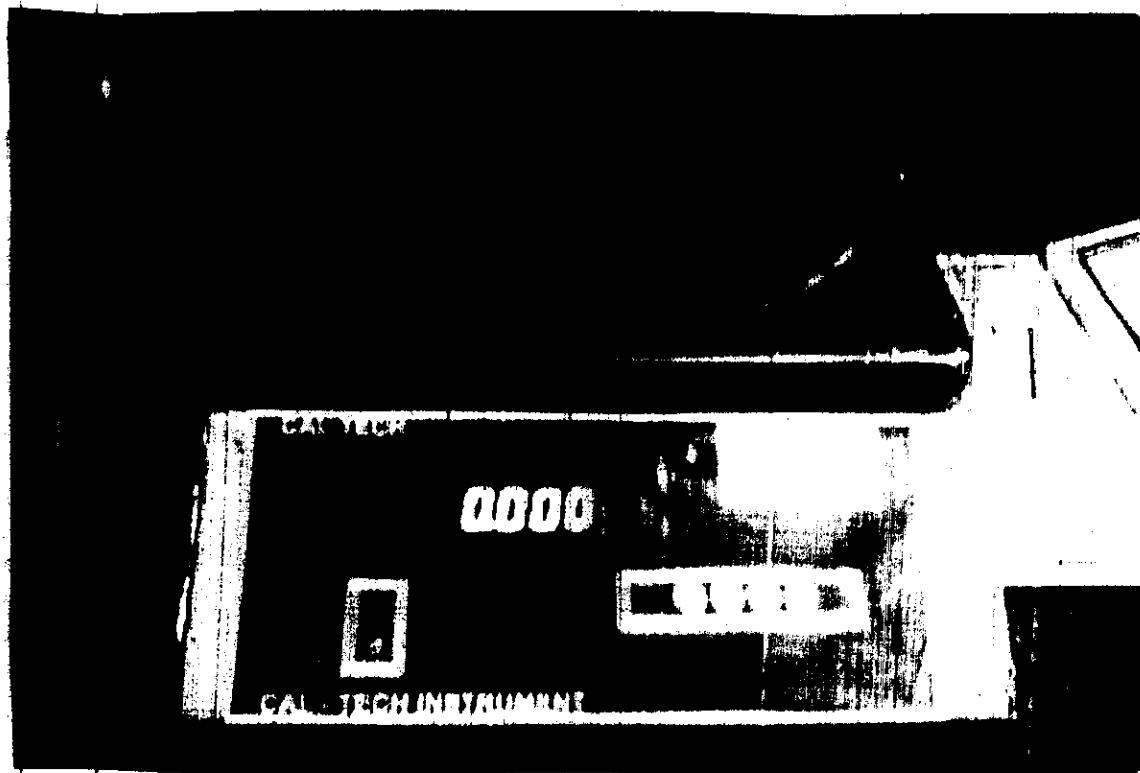
Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and up to 100 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (28)/2007]
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 16 जून, 2008

का.आ. 1982.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा शक्तियों को प्रयोग करते हुए मैसर्स काल-टेक इन्स्ट्रूमेंट्स, नं. 13/366, एम.डी. रहमतुल्लाह स्ट्रीट, कडपा-516001, आंध्र प्रदेश द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) के “सीटी-टीबी” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) और जिसके ब्रांड का नाम “कालटेक” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) जिसे अनुमोदन चिह्न आई एन डी/09/07/534 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है;



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. है और न्यूनतम क्षमता 100ग्रा. है। सत्यापन मापमान अंतराल (ई) 5ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) तोलन परिणाम उपर्युक्त करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

तुला की साइड से सील और स्टम्प को प्राप्त करने के लिए टाइट लीडेड बायर द्वारा टॉप और बाटम कवर में दो छिद्र करके सीलिंग की जाती है; सील को तोड़े बिना इसे खोला नहीं जा सकता है। मॉडल के सीलिंग प्रावधान का टाइपिकल सिमेटिक डायग्राम ऊपर दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 कि.ग्रा. से 2 ग्रा. तक के “ई” मान के लिए 100 से 10,000 तक की रेंज के बीच सत्यापन मापमान अंतराल (एन) या 5ग्रा. अथवा उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) के साथ 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^4 , 2×10^4 या 5×10^4 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

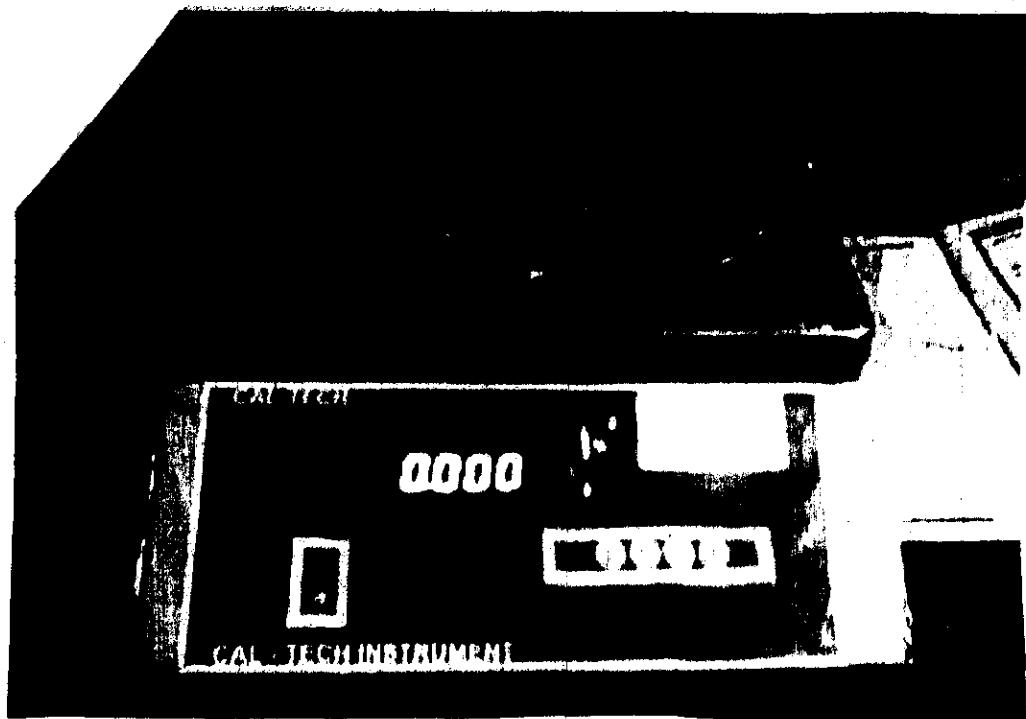
[फा. सं. डब्ल्यू एम-21(283)/2007]

आर. माधुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th June, 2008

S.O. 1982.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic (Table top type) weighing instrument with digital indication of "CT-TB" series of medium accuracy (accuracy class-III) and with brand name "CAL-TECH" (herein referred to as the said model), manufactured by M/s. Cal-Tech Instruments, No.13/366, M.D. Rahamathullah Street, Kadapa-516001, A.P. and which is assigned the approval mark IND/09/07/534;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30kg and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LFD) indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

The sealing is done at the side of the balance by making two holes covering the top and bottom cover by a leaded wire fastened to receive the seal and stamp, which can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity up to 50kg with verification scale interval (n) in the range of 100 to 10,000 for ' e ' value of 100mg to 2g or with verification scale interval (n) in the range of 500 to 10,000 for ' e ' value of 5g or more and with ' e ' value of 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

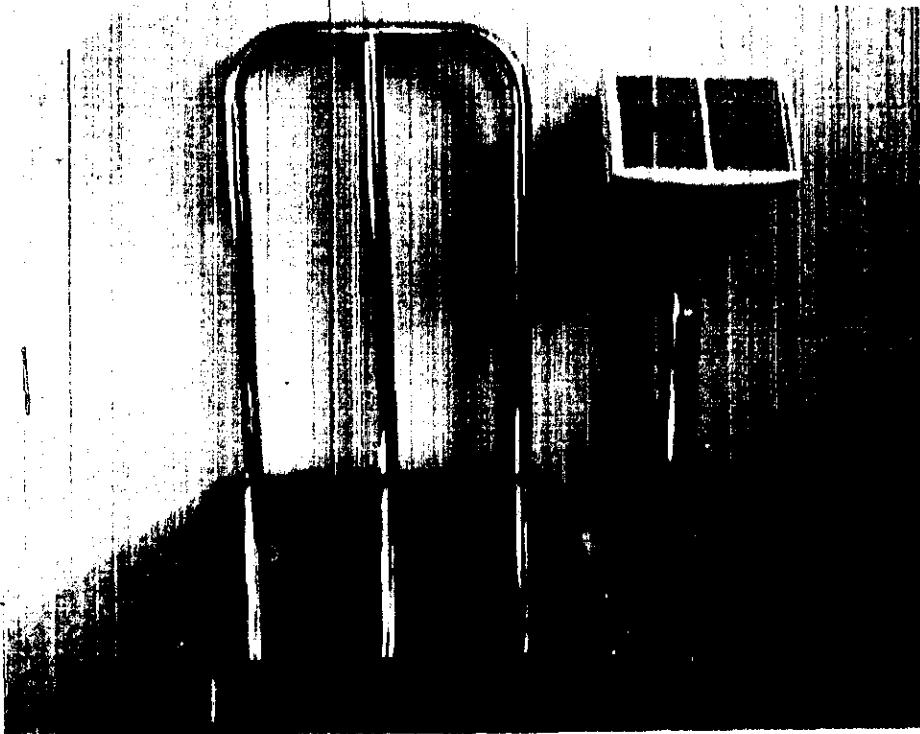
[F. No. WM-21 (283)/2007]
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 16 जून, 2008

का.आ. 1983.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बाट की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए मैसर्स काल-टेक इन्स्ट्रुमेंट्स, नं. 13/366, एम.डी. रहमतुल्लाह स्ट्रीट, कडपा-516 001, आंध्र प्रदेश द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) के “सीटी-पीटी” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) और जिसके ब्रांड का नाम “काल-टेक” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) जिसे अनुमोदन चिह्न आई एन डी/09/07/535 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. है और न्यूमतम क्षमता 4 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 200 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यक्तनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) तोलन परिणाम उपर्युक्त करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



सूचक की 1000 साइड से सील और स्टम्प को प्राप्त करने के लिए टाइट लीडेड व्हायर द्वारा सूचक के बाहरी एवं आंतरिक कवर में दो छिद्र करते हुए सीलिंग की जाती है, सील को तोड़े बिना इसे खोला नहीं जा सकता है। मॉडल के सीलिंग प्रावधान का टाइपिकल सिमेटिक डायग्राम ऊपर दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) के साथ 50 कि.ग्रा. से अधिक और 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^k , 2×10^k या 5×10^k , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

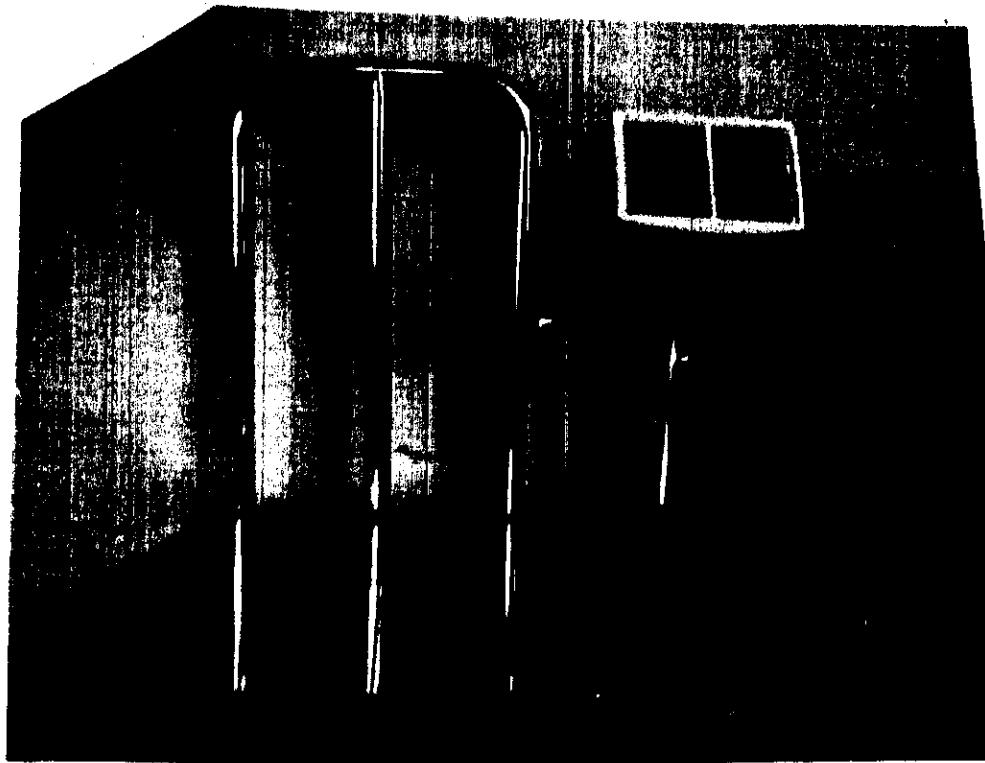
[फा. सं. डब्ल्यू एम-21(283)/2007]
आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th June, 2008

S.O. 1983.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of the self indicating, non-automatic (Platform type) weighing instrument with digital indication of "CT-PT" series of medium accuracy (accuracy class-III) and with brand name "CAL-TECH" (herein referred to as the said model), manufactured by M/s. Cal-Tech Instruments, No. 13/366, M.D. Rahamathullah Street, Kadapa-516 001, A.P. and which is assigned the approval mark IND/09/07/535;

The said model is a strain gauge type load cell based non-automatic weighing instrument with a maximum capacity of 1000kg and minimum capacity of 4kg. The verification scale interval (e) is 200g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.



The sealing is done from the rear side of the indicator by making two holes covering the outer and inner cover of the indicator by a leaded wire fastened to receive the seal and stamp, which can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of same series with maximum capacity above 50kg and up to 5000kg and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero manufactured by the same manufacturer with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (283)/2007]

R. MATHURBHOOI HAM, Director of Legal Metrology

भारतीय मानक व्यूरो

नई दिल्ली, 16 जुलाई, 2008

का.आ. 1984.-भारतीय मानक व्यूरो (प्रमाणन) विनियम, 1988 के नियम 4 के उपनियम (5) के अनुसरण में भारतीय मानक व्यूरो एतद्वारा अधिसूचित करता है कि जिन लाइसेंसों के विवरण नीचे अनुसूची में दिए गए हैं, वे स्वीकृत कर दिए गए हैं:-

26 जनवरी, 2008 से 31 मार्च, 2008 तक

अनुसूची

क्रम संख्या	लाइसेंस संख्या	वैधता तिथि	लाइसेंसधारी का नाम व पता	भारतीय मानक का शीर्षक	भा. मा. संख्या भाग/अनु. वर्ष
1.	7828291	23-03-2009	केल्लेनर इलैक्ट्रिक 95, बॉम्बे टाकीज कंपाउंड, लोकसेवा ट्रॉफेर्ट वांगनी के पीछे, हिमांशु रोड, ग्रेटर बॉम्बे, मलाड (प) महाराष्ट्र-400 064	घरेलू और समान प्रयोजनों के लिए स्विच	आईएस 3854: 1997
2.	7825891	06-03-2009	गोल्डमेडल इलैक्ट्रिकल्स प्रा.लि. 22/23, शुभ बिल्डिंग, सागर मंथन इंडस्ट्रियल एस्टेट, सति. ली रोड, धाने वासई-ई भोइदापाडा, महाराष्ट्र-401 208	250 वोल्ट तक की रेटिंग वोल्टता और 16 एम्पीयर तक की रेटिंग धारा के लिए प्लग सॉकेट और आउटलेट	आईएस 1293: 2005
3.	7826691	13-03-2009	फ्लेमप्रूफ इक्यूपॉर्मेंट्स प्रा.लि. प्लॉट नं. बी-39, अंधेरी मलाड लिंक रोड, सम्मुख: मोंगिनिस केक फेक्टरी, ग्रेटर बॉम्बे, अंधेरी (प) महाराष्ट्र-400 053	विस्फोटी गैस वायुमंडलों के लिए विद्युत उपकरण-आंतरिक सुरक्षा "1"-विशिष्टि	आईएस 5780: 2006
4.	7823382	21-02-2009	अनामिका डोमेस्टिक एप्लायंसेस सं. 2, महारानी इंडस्ट्रियल एस्टेट, सं. 1, सोमनाथ रोड, डाब्ले गॉव दमन नानी दमन (यू.टी.) दमन एवं दिव-396 210	बिजली के घरेलू खाद्य मिक्सर (द्रवीयक और ग्राइंडर)	आईएस 4250: 1980
5.	829495	24-03-2009	पॉलिकेब वायर्स इंडस्ट्रीज एसआर सं. 353/1 और 2, गांव काचीगाम, दमन काचीगाम, दमन एवं दिव-396 210	1100 वो. तक की कार्यकारी वोल्टता के लिए पीवीसी विद्युत रोधी केबल	आई. एस 694: 1990
6.	7830076	25-03-2009	ओम इलैक्ट्रिकल इंडस्ट्रीज यूनिट सं. 9, ग्राउंड फ्लोर, गुरु गोविन्द इंडस्ट्रियल एस्टेट, ग्रेटर बॉम्बे, गौरगॉव-पूर्व महाराष्ट्र-400 063	घरेलू और समान प्रयोजनों के लिए स्विच	आई. एस 3854: 1997

[सं. सी एम डी/13:11]

पी. के. गम्भीर, उप महानिदेशक (मुहर)

BUREAU OF INDIAN STANDARDS

New Delhi, the 16th July, 2008

S.O. 1984.—In pursuance of sub-regulation (5) of regulation 4 of the Bureau of Indian Standards (Certification) Regulations, 1988, the Bureau of Indian Standards, hereby notifies the grant of licences particulars of which are given below in the following schedule:

26 January 2008 to 31 March 2008

SCHEDULE

Sl No.	Licence No.	Validity Date	Name and Address (factory) of the party	Product	IS No./Part/sec Year
1.	7828291	23/03/2009	Kellner Elektrik 95, Bombay Talkies Compound, Behind Lokseva Transport Company, Himansu Road Greater Bombay, Malad-W Maharashtra 400064	Switches for domestic and similar purposes	IS 3854:1997
2.	7825891	06/03/2009	Goldmedal Electricals Pvt. Ltd. 22/23 Shubh BLDG, Sagar Manthan Indl Estate, Bhoidapada, Sativli Road Thane VASAI-E Maharashtra 401208	Plugs and socket outlets IS 1293:2005 of 250 volts and rated current up to 16 amperes	
3.	7826691	13/03/2009	Flameproof Equipments Pvt. Ltd. Plot No.B-39, Andheri Malad Link Road, Opp Monginis Cake Factory, Greater Bombay Andheri (W) Maharashtra 400053	Electrical Apparatus for Explosive Gas Atmospheres- Intrinsic Safety “I”-specification	IS 5780:2006
4.	7823382	21/02/2009	Anamica Domestic Appliances No.2, Maharanji Indl Estate, No.1, Somnath RD, Dabhel Village Damann Nani Daman (U.T) Daman & Diu 396210	Specification for Domestic Electric Food Mixers (Liquidizes and Grinders)	IS 4250:1980
5.	7829495	24/03/2009	Polycab Wires Industries Sr. No. 353/1 & 2, Village Kachigam Damann Kachigam Damann & Diu-396210	PVC Insulated cables for working voltages upto and including 1100V	IS 694:1990
6.	7830076	25/03/2009	OM Electrical Industries Unit No. 9, Ground Floor, Guru Gobind Indsutrial Estate, Greater Bombay Goregaon-E Maharashtra 400063	Switches for domestic and similar purposes	IS 3854:1997

[No. CMD/13:11]

P. K. GAMBHIR, Dy. Director General (Marks)

नई दिल्ली, 16 जुलाई, 2008

का.आ, 1985.-भारतीय मानक ब्यूरो (प्रमाणन) विनियमन, 1988 के नियम 4 के उपनियम (5) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन लाइसेंसों के विवरण नीचे अनुसूची में दिए गए हैं, वे स्वीकृत कर दिए गए हैं :—

1 अप्रैल, 2008 से 25 मई, 2008

अनुसूची

क्रम संख्या	लाइसेंस संख्या	वैधता तिथि	लाइसेंसधारी का नाम व पता	भारतीय मानक का शीर्षक	भा. मा. संख्या भाग/अनु. वर्ष
1.	7838496	21/04/2009	तिरुपति बालाजी एंड कं., प्लॉट सं. 227/2/2, भिवंडी-वाडा रोड, गाँव खुपरी, थाने, वाडा महाराष्ट्र-421312	पीबीसी विद्युत राधित (हैवी ड्यूटी) बिजली के केबल भाग 1 1100 वोल्ट तक की कार्यकारी वालटा के लिए	आईएस 1554(भाग 1) :1988
2.	7834892	07/04/2009	ऐपैक्स होम एप्लायंसेस गाला नं. 1, प्लॉट नं. 29-पी, सममुख क्रीसेन्ट इंड. एस्टेट, कंजूर गाँव रोड, ग्रेटर बॉम्बे, कंजूर मार्ग-ई महाराष्ट्र-400042	बिजली के घरेलू खाद्य मिक्सर (द्रवीयरक और ग्राइंडर)	आईएस: 4250: 1980
3.	7833486	03/04/2009	टीआरआई-एफएलपी इंजीनियर्स प्रा.लि., 11 पॉपुलस इंडस्ट्रियल एस्टेट, डोखले कम्पाउड, रघुवीरनगर समीप चार रस्ता, थाने डोम्बीवली-ई महाराष्ट्र	विद्युत उपस्करों के लिए ज्वालासह आवरक	आईएस 2148: 2004
4.	7836189	10/04/2009	सिपा टेक (इंडिया) प्लॉट ए/24, जीजामाता नगर, जी.डी. अम्बेकर मार्ग, कलाचौकी ग्रेटर बॉम्बे, कॉटनग्रीन, महाराष्ट्र-400 033	चिकित्सीय मेडिकल एक्स-रे इक्यूप्टें- भाग 1: सामान्य और सुरक्षा अपेक्षाएं	आईएस 7620 : (भाग 1) : 1986
5.	7841485	10/05/2009	कोनिका एप्लायंसेस शांति स्टेट, गाला सं. 1/1-ए, चिनकाटी (द्रवीयरक और ग्राइंडर) कामन रोड, थाने सगपाडा (देवढल) महाराष्ट्र-401 208	बिजली के घरेलू खाद्य मिक्सर	आईएस 4250: 1980
6.	7837797	15/04/2009	प्रालाइट इंडस्ट्रीज प्लॉट सं. 24/बी, गोल्डन इंड. एस्टेट सामनाथ रोड, दमन, डाभेल, दमन एवं दीव-396210	घरेलू और समान प्रयोजनों के लिए स्विच	आईएस 3854 : 1997
7.	7837696	15/04/2009	इलैक्ट्रोमैक्स इंडस्ट्रीज, 303, मरीन चैम्पस, तीसरा तल, 43 न्यू मरीन लाइन्स, ग्रेटर बॉम्बे मरीन लाइन्स, महाराष्ट्र-400 020	1100 वो. तक की कार्यकारी वोल्टता के लिए पीबीसी विद्युत रोधी केबल	आईएस 694 : 1990
8.	7840887	30/04/2009	मोहन खेडा इंटरप्राइसेस, शॉप नं. 4, शुप सं. 2, यासीन चाल, हरियाली गांव, टैगोर नगर, ग्रेटर बॉम्बे, विखरोली-ई, महाराष्ट्र-400 083	बिजली के घरेलू खाद्य मिक्सर (द्रवीयरक और ग्राइंडर)	आईएस 4250 : 1980
9.	7837494	14/04/2009	विक्टर इंडस्ट्रीज, गाला सं. 206, दूसरा तल, बिल्डिंग सं. 2, आशीर्वाद हैवी इंड. एस्टेट, राम मंदिर रोड, ग्रेटर बॉम्बे, गौरेगांव महाराष्ट्र-400 104	घरेलू और सामान प्रयोजनों के लिए स्विच	आईएस 3854 : 1997

New Delhi, the 16th July, 2008

S.O. 1985.—In pursuance of sub-regulation (5) of regulation 4 of the Bureau of Indian Standards (Certification) Regulations, 1988, the Bureau of Indian Standards, hereby notifies the grant of licences particulars of which are given below in the following shcedule:

1 APRIL, 2008 TO 25 MAY, 2008

SCHEDULE

Sl No.	Licence No.	Validity Date	Name and Address (factory) of the party	Product	IS No./Part/Sec
1.	7838496	21/04/2009	Tirupati Balaji & Co Plot No. 227/2/2, Bhiwandi-Wada Rd., Village Khupari, Thane Wada, Thane, Maharashtra-421312	PVC insulated (heavy duty) electric cables: Part 1 For working voltages upto and including 1100 V	IS 1554: Part 1: 1988
2.	7834892	07/04/2009	Apex Home Appliances Gala No. 1, Plot No. 29-P, opp: Crescent Indl. Estate, off Kanjur Village Rd., Greater Bombay, Kanjur Marg-E, Maharashtra-400042	Specification for Domestic Electric Food- Mixers (Liquidizers and Grinders)	IS 4250 : 1980
3.	7833486	03/04/2009	Tri-Flp Engineers Pvt Ltd 11, Popular Industrial Estate, Dokhale Compound, Raghuvirnagar, NR Char Rasta, Thane, Dombivli-E , Maharashtra-421201	Flameproof enclosures for electrical apparatus	IS 2148 : 2004
4.	7836189	10/04/2009	Sypa Tech (India) Plot A/24, Jijamata Nagar, G.D. Ambekar Marg, Kalachowk, Greater Bombay, Cottongreen Maharashtra-400033	Specification for Diagnostic Medical X-ray Equipment -Part 1 : General and Safety Requirements	IS 7620 Part 1: 1986
5.	7841485	05/05/2009	Konica Appliances Shanti Estate, Gala No. 1/1-A, Chinchoti Kaman Road, Thane, Sagpada (Devdhal), Maharashtra-401208	Specification for Domestic Electric Food- Mixers (Liquidizers and Grinders)	IS 4250 : 1980
6.	7837797	15/04/2009	Prolite Industries Plot No. 24/B, Golden Indl.Estate, Somnath Rd., Daman Dabhel, Daman & Diu-396210	Switches for domestic and similar purposes	IS 3854 : 1997
7.	7837696	15/04/2009	Electromax Industries 303, Marine Chambers, 3rd Floor, 43, New Marine Lines, Greater Bombay, Marine Lines, Maharashtra-400020	PVC Insulated cables for working voltages upto and including 1100V	IS 694: 1990
8.	7840887	30/04/2009	Mohan Kheda Enterprises Shop No. 4, Group No. 2, Yaseen Chawl, Hariyali Village, Tagore Nagar, Greater Bombay , Vikhroli-E, Maharashtra-400083	Specification for Domestic Electric Food- Mixers (Liquidizes and Grinders)	IS 4250 : 1980
9.	7837494	14/04/2009	Victor Industries Gala No. 206, IInd Floor Bld. No. 2 , Ashirwad Heavy Ind. Estate, Ram Mandir Road, Greater Bombay, Goregaon-W, Maharashtra-400104	Switches for domestic and similar purposes	IS 3854 : 1997

नई दिल्ली, 17 जुलाई, 2008

का.आ. 1986.—भारतीय मानक ब्यूरो (प्रमाणन) विनियमन, 1988 के विनियम (5) के उपविनियम (6) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि निम्न विवरण वाले लाइसेंसों को उनके आगे दर्शायी गई तारीख से रद्द/स्थगित कर दिया गया है :—

अनुसूची

क्रम संख्या	लाइसेंस संख्या सीएम/एल-	लाइसेंसधारी का नाम व पता	लाइसेंस के अन्तर्गत वस्तु/प्रक्रम सम्बद्ध रद्द करने की तिथि भारतीय मानक का शीर्षक
1.	7501158	ओय.ए. अँड आय.सी.केम. प्राइवेट लि. डी-2, एमआईडीसी, लोटे परशुराम, तालुकखेड, जिला रत्नागिरी-415722	आईएस 3383:1982 व्हेटेबल सल्फर पावडर 80%डब्ल्यू.पी 02-04-2008
2.	7550979	न्यू केम इंडस्ट्रीज सर्वे संख्या 217/5, पार्श्वनाथ इंडस्ट्रियल एस्टेट, ग्लोब्हज परसरामपुरिया इंडस्ट्रियल लिमिटेड के पीछे, दादरा गाँव, दादरा एवं नागर हवेली-396191	आईएस 13422:1992 सर्जिकल रबड़ 11-04-2008

[सं. सी एम डी/13:13]

पी.के. गम्भीर, उप महानिदेशक (मुहर)

New Delhi, the 17th July, 2008

S.O. 1986.—In pursuance of sub-regulation (6) of regulation 5 of the Bureau of Indian Standards (Certification) Regulations, 1988, the Bureau of Indian Standards, hereby notifies that the licences particulars of which are given in the following schedule have been cancelled with effect from the date indicated against each:

SCHEDULE

Sl. No.	Licence No.	Name and Address of the licensee	Article/Process with relevant Indian Standard Covered by the licence cancelled	Date of Cancellation
1.	7501158	I.A. & I.C. Chem Pvt Limited, D-2, MIDC, Lote Parshuram, Tal:Khed Distt:Ratnagiri 415722	IS 3383 : 1982 Wettable Sulphur Powder 80% WP	02-04-2008
2.	7550979	New Chem Industries, Survey No. 217/5, Parshwanath Indl Estate (Behind Parasrampuria Inds Ltd, Village Dadra, Dadra and Nagar Haveli-396191	IS 13422 : 1992	11-04-2008

[No. CMD/13:13]

P. K. GAMBHIR, Dy. Director General (Marks)

नई दिल्ली, 17 जुलाई, 2008

का.आ. 1987.—भारतीय मानक ब्यूरो (प्रमाणन) विनियमन 1988 के विनियम 4 के उपविनियम (5) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि वे लाइसेंस जिनके विवरण नीचे अनुसूची में दिए गए हैं को उनके आगे दर्शाए गई तिथि से जारी कर दिया गया है :—

अनुसूची

अनुक्रमिक लाइसेंस सं.	वैधता दि.	लाइसेंस धारकों का नाम और पता	उत्पादन	भा.म./भाग/विभाग/वर्ष	
1	2	3	4	5	6
1.	7842285	8/05/2009	निरलॉन लिमिटेड पहाड़ी गाँव, परिचम महाराष्ट्र, गोरगाँव (पूर्व), मुंबई-400 063	कारखानों के लिए व्हिं-ब्लेट	2494(भाग 1) : 1994
2.	7840584	4/05/2009	आदित्य इंडस्ट्रीज प्लॉट संख्या 81, रोड संख्या 1 और 7, सेक्टर 1/एस, एचडीएफसी बैंक के पीछे, रायगढ़, न्यू पनवेल-410 206	पैकेजबंद पेयजल	14543 : 2004
3.	7843994	14/05/2009	सेजेटा क्रॉप प्रोटेक्शन प्रायव्हेट लिमिटेड सान्ता मोनिका वर्क्स, कोर्लिम, इल्हास, उत्तर गोवा, गोवा-403110	कीटनाशक-पिरिमोफोस मेथल ईसी	13455 : 1992

1	2	3	4	5	6
4.	7843691	13/05/2009	नचिकेत एन्टरप्राइजेज, 227, देवेन्द्र इंडस्ट्रियल इस्टेट, लोकमान्य नगर, थाणे (पश्चिम)-400 606	डेनसिटी हायड्रोमीटर : भाग 1 3104 (भाग 1) : 1982	
5.	7842386	08/05/2009	मैत्रेय मैग्नेट प्रायब्ल्ट लिमिटेड, इंद्रकुंज, पहली मॉजिल, बालाजी हॉस्पीटल के पांछे, विरार (पूर्व), थाणे-401 303	पैकेजबंद पेयजल	14543 : 2004
6.	7839502	28/04/2009	नाईल ट्रेडींग कॉर्पोरेशन, गेट संख्या 334, गाँव-नरे, पोस्ट-कुडास वाडा, जिला थाणे	पोर्टलैंड स्लैंग सीमेंट	455 : 1989
7.	7845901	26/05/2009	भैरव प्रोडक्ट्स इंडीया, गाला संख्या E-1, पूजा इंडस्ट्रियल इस्टेट, रबर सिलिंग रिंग्स तुलशेत पाडा, लोक रोड, भांडुप (पश्चिम), मुंबई-400 078	गैस, पानी और सेवर्स के लिए	5382 : 1985

[सं. के प्र.वि/13:11]
पी. के. गम्भीर, उप महानिदेशक (मुहर)

New Delhi, the 17th July, 2008

S.O. 1987.—In pursuance of sub-regulation (5) of regulation 4 of the Bureau of Indian Standards (Certification) Regulations, 1988, the Bureau of Indian Standards, hereby notifies the grant of licences particulars of which are given below in the following schedule :

SCHEDULE

Sl. No.	Licence No.	Validity Date	Name and Address (factory) of the party	Product	IS No./Part/ Sec Year
1.	7842285	08/05/2009	Nirlon Limited, Pahadi Village, Western Express Highway, Goregaon (E) Mumbai 400063	V-Belts-Endless V-Belts for Industrial Purposes Part 1 : General Purpose	IS 2494: Part 1: 1994
2.	7840584	04/05/2009	Aaditya Industries Plot No. 81, Road No. 1&7, Sector 1/S, Behind HDFCBank Raigarh New Panvel 410206	Packaged Drinking Water (other than Packaged Natural Mineral Water)	IS 14543: 2004
3.	7843994	14/05/2009	Syngenta Crop Protection Pvt. Ltd., Santa Monika Works, Corlim, Ilhas North Goa, Goa 403110	Pesticide-Pirimiphos Methyl EC	IS 13455 : 1992
4.	7843691	13/05/2009	Nachiket Enterprise, 227, Devendra Industrial Estate, Lokmanya Nagar, Thane (W) 400606	Density hydrometers: Part 1 Requirements	IS 3104: Part 1:1982
5.	7842386	08/05/2009	Maitreya Meganet Pvt. Ltd., Indrakunj, 1st Floor, Behind Balaji Hospital Virar (E), Distt. Thane 401303	Packaged Drinking Water (other than Packaged Natural Mineral Water)	IS14543 : 2004
6.	7839502	28/04/2009	Nile Trading Corporation, Gut No. 334, Village, Nare P.O. Kudus, Wada Distt. Thane	Specification for Portland slag cement	IS 455:1989
7.	7845901	26/05/2009	Bhairav Products (INDIA) Gala No. E-1, Pooja Indl Estate, Tulshet, Pada, Lake Road, Bhandup (W) Mumbai 400078	Specification for Rubber Sealing Rings for Gas Mains, Water and Mains and Sewers	IS 5382: 1985

[No. CMD/13:11]
P.K. GAMBHIR, Dy. Director General (Marks)

पेट्रोलियम और प्राकृतिक गैस मंत्रालय		(1)	(2)	(3)	(4)	
नई दिल्ली, 21 जुलाई, 2008			आगासौद (जारी)	763	0.1800	
का. आ. 1988.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 302 तारीख 12 फरवरी, 2008, जो भारत के राजपत्र तारीख 16 फरवरी, 2008 में प्रकाशित की गई थी, द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में मध्य प्रदेश राज्य में बीना संस्थापन से राजस्थान राज्य में कोटा तक पेट्रोलियम उत्पादों के परिवहन के लिए बीना-कोटा पाइपलाइन परियोजना के माध्यम से भारत पेट्रोलियम कारपोरेशन लिमिटेड द्वारा एक पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन के अपने आशय की घोषणा की थी;		778	0.0720			
और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 10 मई, 2008 को उपलब्ध करा दी गई थीं।				776	0.1512	
और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन, केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;				777	0.3456	
और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात्, और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिये अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;				1212	0.3312	
अतः अब, केन्द्रीय सरकार, उक्त अधिनियम को धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है;				1213	0.0360	
और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख को केन्द्रीय सरकार में निहित होने की बजाए, सभी विल्लंगमों से मुक्त, भारत पेट्रोलियम कारपोरेशन लिमिटेड में निहित होगा।				1214	0.0864	
अनुसूची						
तहसील : बीना	जिला सागर	राज्य : मध्य प्रदेश				
क्र. सं. ग्राम का नाम	सर्वे नंबर	क्षेत्रफल हैक्टेयर में				
(1)	(2)	(3)	(4)			
1.	आगासौद	532	0.1008		1068	0.2268
		533	0.1440		1069	0.0720
		535	0.0720	1070/2-4-5	0.1656	
		536	0.0576	1070/3	0.0576	
		539	0.0360	1070/1	0.0648	
		707	0.0288	1053	0.1440	

(1)	(2)	(3)	(4)	(1)	(2)	(3)	(4)
आगासौद (जारी)	1081	0.0050		पुरेना (जारी)	55	0.0050	
	1079	0.0360			56	0.0050	
	1052	0.0504			47	0.0576	
	1050	0.1152			54	0.2664	
	1045	0.1224			43/2	0.1584	
	1046	0.2088			43/1	0.1440	
	1042	0.0144			39/2	0.1224	
	1036	0.2664			39/1	0.1296	
	1037	0.1512			64/2	0.0432	
	1035	0.0216			64/5	0.2232	
2. पुरेना	516/1	0.2376			64/4	0.0936	
	516/4	0.0576			64/6	0.3024	
	515	0.0040			65	0.2736	
	514	0.0020		3. बेसराकसोई	386	0.2684	
	513	0.2664			385	0.1512	
	512	0.0876			384	0.0200	
	373	0.1296			389	0.0286	
	360	0.0144			392	0.0200	
	375	0.0504			391	0.2952	
	377/1	0.2376			398	0.3168	
	374	0.1080			399	0.2736	
	377/3	0.0576			397	0.0720	
	378/1	0.2000			499	0.0144	
	379	0.1250			412	0.4320	
	378/2	0.0020			413	0.3600	
	356	0.0650			110/2	0.1440	
	355	0.2520			110/1	0.1512	
	352	0.2376			109	0.4104	
	351/2	0.0216		4. बाधारूपा	108	0.0144	
	349/2	0.2088			17	0.0144	
	348	0.0504			42/1	0.1080	
	330/1	0.1100			43	0.2592	
	330/2	0.0800			52	0.0432	
	331	0.0420			44/1	0.0020	
	332	0.0040			45	0.3384	
	329	0.0504			37	0.0144	
	328	0.2520			39	0.0040	
	327	0.2088			38/3	0.2160	
	337	0.0020			38/2	0.1296	
	239	0.5472			38/1	0.0648	
	238	0.0144			33	0.1152	
	52	0.2304			34/1	0.2304	
					34/3	0.0936	

(1)	(2)	(3)	(4)
5.	ढाना	16	0.1440
		17	0.0020
		15	0.3384
		13	0.0144
		12	0.1008
		11	0.0288
		10/3	0.1008
		10/4	0.0396
		10/9	0.0180
		10/7	0.1584
		10/5	0.1008
		10/6	0.0576
		8	0.1728

[फा. सं. आर.-31015/6/2008 ओ आर-II]

ए. गोस्वामी, अवर सचिव

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 21st July, 2008

S.O. 1988.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 302, dated the 12th February, 2008, issued under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act) published in the Gazette of India dated the 16th February, 2008, the Central Government declared its intention to acquire the right of user in the land, specified in the Schedule appended to that notification for the purpose of laying a pipeline for transportation of petroleum products through Bina-Kota Pipeline Project from Bina terminal in the State of Madhya Pradesh to Kota in the State of Rajasthan by Bharat Petroleum Corporation Limited;

And whereas the copies of the said Gazette notification were made available to the public on the 10th May, 2008;

And whereas the competent authority has, under sub-section (1) of Section 6 of the said Act, submitted report to the Central Government;

And whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire the right of user therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said land, specified in the Schedule, appended to this notification, is hereby acquired for laying the pipeline:

And further, in exercise of the powers conferred by sub-section (4) of Section 6 of the said Act, the Central

Government hereby directs that the right of user in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest on the date of the publication of this declaration, in Bharat Petroleum Corporation Limited, free from all encumbrances.

SCHEDULE

Tehsil : Bina District : Sagar State : Madhya Pradesh

S. No.	Name of Village	Survey No.	Area in Hectare
(1)	(2)	(3)	(4)
1	Aagasaund	532	0.1008
		533	0.1440
		535	0.0720
		536	0.0576
		539	0.0360
		707	0.0288
		763	0.1800
		778	0.0720
		776	0.1512
		777	0.3456
		1212	0.3312
		1213	0.0360
		1214	0.0864
		1215	0.1872
		1206	0.2664
		1185	0.0936
		1180	0.0144
		1181	0.0360
		1184	0.0936
		1177	0.0432
		1176	0.0576
		1175	0.2160
		1172	0.0100
		1162	0.0144
		1164	0.0900
		1194	0.0216
		1168	0.0432
		1165	0.0432
		1166	0.0020
		1140	0.0288
		1118	0.0180
		1117	0.0216
		1116	0.0324
		1115	0.0200
		1114	0.0160

(1)	(2)	(3)	(4)	(1)	(2)	(3)	(4)
1.	Aagasaad (Contd.)	1111	0.0020	2.	Puraina (Contd.)	349/2	0.2088
		1120	0.0100			348	0.0504
		1112	0.0504			330/1	0.1100
		1113	0.0468			330/2	0.0800
		1105	0.0288			331	0.0420
		1104	0.0504			332	0.0040
		1103	0.0216			329	0.0504
		1068	0.2268			328	0.2520
		1069	0.0720			327	0.2088
		1070/2-4-5	0.1656			337	0.0020
		1070/3	0.0576			239	0.5472
		1070/1	0.0648			238	0.0144
		1053	0.1440			52	0.2304
		1081	0.0050			55	0.0050
		1079	0.0360			56	0.0050
		1052	0.0504			47	0.0576
		1050	0.1152			54	0.2664
		1045	0.1224			43/2	0.1584
		1046	0.2088			43/1	0.1440
		1042	0.0144			39/2	0.1224
		1036	0.2664			39/1	0.1296
		1037	0.1512			64/2	0.0432
		1035	0.0216			64/5	0.2232
2.	Puraina	516/1	0.2376			64/4	0.0936
		516/4	0.0576			64/6	0.3024
		515	0.0040			65	0.2736
		514	0.0020	3.	Besarakasoi	386	0.2684
		513	0.2664			385	0.1512
		512	0.0876			384	0.0200
		373	0.1296			389	0.0286
		360	0.0144			392	0.0200
		375	0.0504			391	0.2952
		377/1	0.2376			398	0.3168
		374	0.1080			399	0.2736
		377/3	0.0576			397	0.0720
		378/1	0.2000			499	0.0144
		379	0.1250			412	0.4320
		378/2	0.0020			413	0.3600
		356	0.0650			110/2	0.1440
		355	0.2520			110/1	0.1512
		352	0.2376			109	0.4104
		351/2	0.0216			108	0.0144

(1)	(2)	(3)	(4)
4.	Bagharupa	17	0.0144
		42/1	0.1080
		43	0.2592
		52	0.0432
		44/1	0.0020
		45	0.3384
		37	0.0144
		39	0.0040
		38/3	0.2160
		38/2	0.1296
		38/1	0.0648
		33	0.1152
		34/1	0.2304
		34/3	0.0936
5	Dhhana	16	0.1440
		17	0.0020
		15	0.3384
		13	0.0144
		12	0.1008
		11	0.0288
		10/3	0.1008
		10/4	0.0396
		10/9	0.0180
		10/7	0.1584
		10/5	0.1008
		10/6	0.0576
		8	0.1728

[F.No. R-31015/6/2008 OR-II]

A. GOSWAMI, Under Secy.

नई दिल्ली, 21 जुलाई, 2008

का. आ. 1989.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 304 तारीख 12 फरवरी, 2008, जो भारत के राजपत्र तारीख 16 फरवरी, 2008 में प्रकाशित की गई थी द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में मध्य प्रदेश राज्य में बीना संस्थापन से राजस्थान राज्य में कोटा तक पेट्रोलियम उत्पादों के परिवहन के लिए बीना-कोटा पाइपलाइन परियोजना के माध्यम से भारत पेट्रोलियम कारपोरेशन लिमिटेड द्वारा एक पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन के अपने आशय की घोषणा की थी;

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 13 मई, 2008 को उपलब्ध करा दी गई थीं;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन, केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात्, और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिये अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है;

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख को केन्द्रीय सरकार में निहित होने की बजाए, सभी विलंगमों से मुक्त, भारत पेट्रोलियम कारपोरेशन लिमिटेड में निहित होगा।

अनुसूची

तहसील : बारां		जिला बारां	राज्य : राजस्थान
क्र. सं.	ग्राम का नाम	सर्वे नंबर	क्षेत्रफल हेक्टेयर में
(1)	(2)	(3)	(4)
1.	बामला	233	0.0558
		257	0.2736
		256	0.2268
		259	0.2000
		261/1643	0.1640
		261	0.0055
		262	0.2030
		263	0.0060
		359	0.0830
		358	0.0144
		356	0.1640
		355	0.0660
		357	0.1350
		354	0.0020
		376	0.0590
		395	0.1190
		396	0.0920
		397	0.0920
		405	0.0020
		406	0.2645
		407	0.0640

(1)	(2)	(3)	(4)	(1)	(2)	(3)	(4)
1.	बामला (--जारी)	552	0.0216	1.	बामला (--जारी)	870	0.0740
		556	0.0100			873	0.0020
		557	0.0468			874	0.0360
		558	0.0020			869	0.0324
		560	0.0270			867	0.0740
		561	0.0845			936	0.0830
		563	0.0025			962	0.0396
		562	0.0432			989/1585	0.1190
		564	0.0144			992	0.1135
		575	0.0432			995/1592	0.0360
		576	0.0288			1357	0.0360
		573	0.0020			1360	0.2290
		578	0.0936			1361	0.0576
		579	0.0020			1363	0.1760
		571	0.0020			1364	0.3200
		702	0.0360			1366	0.3090
		822	0.0540			1385	0.0216
		821	0.0324			1396	0.2085
		820	0.0324			1395	0.6660
		819	0.0210			1393	0.0504
		823	0.0200			1479/1622	0.2740
		818	0.0720			1480	0.3550
		824	0.0020			1481	0.2900
		843/1588	0.0020			1481/1654	0.0360
		843	0.0504			1485	0.0100
		844	0.0020			1486	0.1960
		814	0.0396			1497	0.7090
		813	0.0396			1491	0.0504
		847	0.0126			1492	0.0020
		846	0.0450			1490	0.0600
		850	0.0364	2.	तूमड़ा	242	0.0900
		891	0.0590			243	0.0468
		892	0.0740			241	0.0316
		894	0.0450			244	0.0936
		886	0.0590			246	0.0360
		883	0.0360			247	0.0432
		887	0.0100			248	0.0063
		882	0.0485			251	0.0522
		880	0.0740			250	0.0234
		878	0.0396			257	0.0010
		871	0.0080	3.	खेराली	739	0.0594
		872	0.0880			804	0.0010

(1)	(2)	(3)	(4)	(1)	(2)	(3)	(4)
3.	खैराली	805	0.1260	3.	खैराली (जारी)	1172	0.0558
		795	0.0234			1275/1178	0.0306
		806	0.2538			1174	0.1134
		807	0.0738			1173	0.0108
		809	0.0918			1175	0.0216
		825	0.2124			1220	0.2160
		827	0.1098			1221	0.0020
		826	0.3042			1222	0.1754
		822/1281	0.2034			1227	0.2178
		822	0.0010			1228	0.2358
		838	0.1818			1229	0.1818
		856	0.1440			1225	0.1098
		857	0.0180			1239	0.0020
		858	0.3978			1240	0.0010
		859	0.0025	4.	रटावद	367	0.0252
		860	0.1242			368/911	0.0036
		861	0.0288			365	0.1600
		904	0.0010			365/908	0.4460
		862	0.0760			373	0.1440
		1246/862	0.2178			378	0.1188
		878	0.2178			377	0.1880
		900	0.0576			995/417	0.1944
		964	0.0350			417	0.2376
		899	0.1728			420	0.0650
		882	0.0036			419	0.0010
		966	0.0020			424	0.4176
		967	0.0558			423	0.0540
		969	0.1944	5.	लेवा	325	0.0244
		975	0.0010			324	0.1116
		971	0.1908			323	0.0324
		973	0.0198			327	0.0450
		974	0.1314			384	0.8010
		979	0.1386			386	0.0594
		981	0.6372			385	0.2700
		1142	0.0108			392	0.0396
		1145	0.1170			399	0.2340
		1154	0.0025			402	0.2304
		1155	0.0882			403	0.0270
		1156	0.0144			404	0.4680
		1153	0.0288			410	0.2520
		1158	0.0020			409	0.0360
		1151	0.0738			408	0.0108

(1)	(2)	(3)	(4)	(1)	(2)	(3)	(4)
5.	सेवा (जारी)	483	0.0360	6.	बेंगना (जारी)	423	0.004
		484	0.0810			422	0.1576
		485	0.0360			417	0.1386
		486	0.5112			414	0.1692
		487	0.1656			412	0.0432
		488/520	0.0036			445	0.0504
		495	0.0396			482	0.1116
		494	0.1638			481	0.0324
		493	0.0020			483	0.0018
		491	0.0162			480	0.0090
6.	बेंगना	10	0.0288			479	0.1152
		11	0.2070			475	0.0010
		8	0.3384			931	0.0180
		7	0.0180			930	0.0180
		19	0.2484			927	0.1584
		29	0.3240			933	0.0126
		28	0.0324			934	0.0010
		30	0.1908			949	0.4680
		46	0.1926			943	0.0054
		45	0.0648			948	0.1548
		59	0.2808			965	0.2970
		60	0.0540			966	0.0396
		85	0.2034			967	0.0324
		84	0.4932			1044	0.0144
		1289/1242	0.1152			1042	0.0180
		84/1242	0.0180			1038	0.0612
		66	0.0270			1039	0.0324
		65	0.0360			1036	0.0020
		67	0.0900			1035	0.6930
		69	0.0108			1032	0.0108
		72	0.0126		1024/1250		0.1116
		73	0.0036			1024	0.1620
		74	0.0504			1027	0.0900
		274	0.0216			1026	0.1980
		374	0.0900		[फा. सं. आर.-31015/2/2008 ओ आर-II]		
		374/1244	0.0684				
		376	0.0324				
		406	0.1386				
		430	0.0036				
		426	0.0846				
		425	0.0414				
		427	0.0468				

ए. गोस्वामी, अवर सचिव

New Delhi, the 21st July, 2008

S.O. 1989.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas No. S.O. 304, dated the 12th February, 2008, issued under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the

said Act) published in the Gazette of India dated the 16th February, 2008, the Central Government declared its intention to acquire the right of user in the land, specified in the Schedule appended to that notification for the purpose of laying a pipeline for transportation of petroleum products through Bina-Kota Pipeline Project from Bina terminal in the State of Madhya Pradesh to Kota in the State of Rajasthan by Bharat Petroleum Corporation Limited;

And whereas the copies of the said Gazette notification were made available to the public on the 13th May, 2008;

And whereas the competent authority has, under sub-section (1) of Section 6 of the said Act, submitted report to the Central Government;

And whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire the right of user there in;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said land, specified in the Schedule, appended to this notification, is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of Section 6 of the said Act, the Central Government hereby directs that the right of user in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest on the date of the publication of this declaration, in Bharat Petroleum Corporation Limited, free from all encumbrances.

SCHEDULE

Tehsil : Baran District : Baran		State : Rajasthan	
S. No.	Name of Village	Survey No.	Area in Hectare
(1)	(2)	(3)	(4)
1.	Bamla	233	0.0558
		257	0.2736
		256	0.2268
		259	0.2000
		261/1643	0.1640
		261	0.0055
		262	0.2030
		263	0.0060
		359	0.0830
		358	0.0144
		356	0.1640
		355	0.0660
		357	0.1350
		354	0.0020

(1)	(2)	(3)	(4)
1.	Bamla	376	0.0590
		395	0.1190
		396	0.0920
		397	0.0920
		405	0.0020
		406	0.2645
		407	0.0640
		552	0.0216
		556	0.0100
		557	0.0468
		558	0.0020
		560	0.0270
		561	0.0845
		563	0.0025
		562	0.0432
		564	0.0144
		575	0.0432
		576	0.0288
		573	0.0020
		578	0.0936
		579	0.0020
		571	0.0020
		702	0.0360
		822	0.0540
		821	0.0324
		820	0.0324
		819	0.0210
		823	0.0200
		818	0.0720
		824	0.0020
		843/1588	0.0020
		843	0.0504
		844	0.0020
		814	0.0396
		813	0.0396
		847	0.0126
		846	0.0450
		850	0.0364
		891	0.0590
		892	0.0740
		894	0.0450
		886	0.0590

(1)	(2)	(3)	(4)	(1)	(2)	(3)	(4)
1.	Bamla	883	0.0360	2.	Tumdha	247	0.0432
		887	0.0100			248	0.0063
		882	0.0485			251	0.0522
		880	0.0740			250	0.0234
		878	0.0396			257	0.0010
		871	0.0080	3.	Khairali	739	0.0594
		872	0.0880			804	0.0010
		870	0.0740			805	0.1260
		873	0.0020			795	0.0234
		874	0.0360			806	0.2538
		869	0.0324			807	0.0738
		867	0.3740			809	0.0918
		936	0.0830			825	0.2124
		962	0.0396			827	0.1098
		989/1585	0.1190			826	0.3042
		992	0.1135			822/1281	0.2034
		995/1592	0.0360			822	0.0010
		1357	0.0360			838	0.1818
		1360	0.2290			856	0.1440
		1361	0.0576			857	0.0180
		1363	0.1760			858	0.3978
		1364	0.3200			859	0.0025
		1366	0.3090			860	0.1242
		1385	0.0216			861	0.0288
		1396	0.2085			904	0.0010
		1395	0.6660			862	0.0760
		1393	0.0504			1246/862	0.2178
		1479/1622	0.2740			878	0.2178
		1480	0.3550			900	0.0576
		1481	0.2900			964	0.0350
		1481/1654	0.0360			899	0.1728
		1485	0.0100			882	0.0036
		1486	0.1960			966	0.0020
		1497	0.7090			967	0.0558
		1491	0.0504			969	0.1944
		1492	0.0020			975	0.0010
		1490	0.0600			971	0.1908
2.	Tumdha	242	0.0900			973	0.0198
		243	0.0468			974	0.1314
		241	0.0316			979	0.1386
		244	0.0936			981	0.6372
		246	0.0360			1142	0.0108

(1)	(2)	(3)	(4)	(1)	(2)	(3)	(4)
3.	Khairali	1145	0.1170	5.	Leva	399	0.2340
		1154	0.0025			402	0.2304
		1155	0.0882			403	0.0270
		1156	0.0144			404	0.4680
		1153	0.0288			410	0.2520
		1158	0.0020			409	0.0360
		1151	0.0738			408	0.0108
		1172	0.0558			483	0.0360
		1275/1178	0.0306			484	0.0810
		1174	0.1134			485	0.0360
		1173	0.0108			496	0.5112
		1175	0.0216			487	0.1656
		1220	0.2160			488/520	0.0036
		1221	0.0020			495	0.0396
		1222	0.1754			494	0.1638
		1227	0.2178			493	0.0020
		1228	0.2358			491	0.0162
		1229	0.1818	6.	Bengna	10	0.0288
		1225	0.1098			11	0.2070
		1239	0.0020			8	0.3384
		1240	0.0010			7	0.0180
4.	Ratavad	367	0.0252			19	0.2484
		368/911	0.0036			29	0.3240
		365	0.1600			28	0.0324
		365/908	0.4460			30	0.1908
		373	0.1440			46	0.1926
		378	0.1188			45	0.0648
		377	0.1880			59	0.2808
		995/417	0.1944			60	0.0540
		417	0.2376			85	0.2034
		420	0.0650			84	0.4932
		419	0.0010			1289/1242	0.1152
		424	0.4176			84/1242	0.0180
		423	0.0540			66	0.0270
5.	Leva	325	0.0244			65	0.0360
		324	0.1116			67	0.0900
		323	0.0324			69	0.0108
		327	0.0450			72	0.0126
		384	0.8010			73	0.0036
		386	0.0594			74	0.0504
		385	0.2700			274	0.0216
		392	0.0396			374	0.0900
						374/1244	0.0684

(1)	(2)	(3)	(4)
6.	Bengna	376	0.0324
		406	0.1386
		430	0.0036
		426	0.0846
		425	0.0414
		427	0.0468
		423	0.0504
		422	0.0576
		417	0.1386
		414	0.1692
		412	0.0432
		445	0.0504
		482	0.1116
		481	0.0324
		483	0.0018
		480	0.0090
		479	0.1152
		475	0.0010
		931	0.0180
		930	0.0180
		927	0.1584
		933	0.0126
		934	0.0010
		949	0.4680
		943	0.0054
		948	0.1548
		965	0.2970
		966	0.0396
		967	0.0324
		1044	0.0144
		1042	0.0180
		1038	0.0612
		1039	0.0324
		1036	0.0020
		1035	0.6930
		1032	0.0108
	1024/1250	0.1116	
	1024	0.1620	
	1027	0.0900	
	1026	0.1980	

[F. N. R-31015/2/2008 O.R.-II]

A. GOSWAMI; Under Secy.

नई दिल्ली, 22 जुलाई, 2008

का. आ. 1990.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उप-धारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 303 तारीख 12 फरवरी, 2008, जो भारत के राजपत्र तारीख 16 फरवरी, 2008 में प्रकाशित की गई थी, द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में मध्य प्रदेश राज्य में बीना संस्थापन से राजस्थान राज्य में कोटा तक पेट्रोलियम उत्पादन के परिवहन के लिए बीना-कोटा पाइपलाइन परियोजना के माध्यम से भारत पेट्रोलियम कारपोरेशन लिमिटेड द्वारा एक पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन के अपने आशय की घोषणा की थी।

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 17 मई, 2008 को उपलब्ध करा दी गई थीं।

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन, केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है।

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात्, और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिये अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है।

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है;

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख को केन्द्रीय सरकार में निहित होने की बजाए, सभी विलंगमां से मुक्त, भारत पेट्रोलियम कारपोरेशन लिमिटेड में निहित होगा।

अनुसूची

तहसील : मुंगावली जिला : अशोक नगर राज्य : मध्य प्रदेश

क्र. सं.	ग्राम का नाम	सर्वे नंबर	क्षेत्रफल हैक्टेयर में
(1)	(2)	(3)	(4)
1.	महाराज खेड़ी	100	0.1944
		12/4	0.0150
		12/8	0.0390
		12/7	0.0150
		12/6	0.0100
		12/5	0.0050
		12/3	0.1400

(1)	(2)	(3)	(4)	(1)	(2)	(3)	(4)
1.	महाराज खेड़ी	12/2	0.0576	2.	पिपरिया मल्हारगण	241	0.3200
		12/1	0.1170		(जारी)	253	0.1820
		11	0.0130			252	0.0300
		9/201	0.4212			251	0.0150
		9	0.0200			248	0.0050
2.	पिपरिया मल्हारगण	7	0.3445			250	0.0650
		8	0.2860			249	0.0520
		22	0.1950			247	0.0020
		23	0.0325	3.	किरमिचीखेड़ी	4	0.0030
		44 मि. } 44/1 } 45/1 } 45 मि. }	0.3510 0.2880			5	0.3900
		43/3	0.0975			7/1	0.2600
		40	0.1560			7/4	0.0780
		39	0.3445	4.	मदावल	7/2	0.1235
		38	0.0065			6	0.0715
		37/2	0.0715			11	0.0390
		37/1	0.1625	40.	मदावल	1	0.0130
		30/4	0.0845			40/1	0.3055
		33/1	0.1820			40/2 मि.	0.3510
		32	0.2145			12	0.0780
		31	0.0100			19	0.4030
		129/2	0.0150			16	0.0715
		130	0.0150			76/3क	0.1950
		188/मि.	0.1050			76/3ख	0.1820
		188/2	0.0850			76/3ग	0.2405
		195	0.2860			76/4	0.0650
		196	0.2145			82/2	0.0910
		197	0.1820			82/3	0.4810
		204	0.2000	5.	टांडा	82/5	0.0520
		208	0.1750			81	0.1105
		207	0.0250			88	0.5005
		210	0.0500			168	0.0100
		209	0.1400			166	0.0130
		212	0.0065			167	0.0020
		211	0.0200			7	0.4600
		238	0.0325			6	0.5100
		236	0.0130			5	0.3705
		239	0.0130			4	0.1000
		240	0.3400			16	0.0650
						17	0.0325
						22	0.2600
						21	0.0040

(1)	(2)	(3)	(4)	(1)	(2)	(3)	(4)
5.	टांडा (जारी)	23	0.0680	7.	मिर्जापुर (जारी)	38/5	0.3055
		37	0.0150			38/6	0.0050
		30	0.1430			38/2ख	0.2050
		29	0.3600			38/3	0.0200
		28	0.0325			38/7	0.1600
		25	0.0130			38/8	0.1000
6.	नरखेड़ा	359/450	0.1105			23	0.0975
		356/449	0.0355			39	0.0325
		359/2	0.3100			40	0.0650
		359/1	0.3700			41	0.5395
		357	0.1170	8.	वर्दी	90	0.0520
		343	0.0200			93/4	0.1625
		354	0.2275			93/1 क	0.2925
		367	0.0200			93/1/1	0.9165
		373	0.0200			93/1ख/1	0.1235
		380	0.0200			93/6	0.0845
		375	0.1820			93/1ग	0.0020
		376	0.0520			93/8	0.0050
		371	0.0200	9.	सोपरा	1	0.0975
		390/2	0.4875			4	0.0100
		377	0.1625			5	0.1560
		338	0.0200			6	0.0800
		405/1	0.5300			7/13	0.2115
		406/451	0.0650			7/7	0.2930
		434	0.0260			7/5/1	0.1195
		417	0.2100			7/2ख	0.0040
		418/1	0.1200			7/9/2ख	0.0975
		418/2	0.1500			7/9/2	0.1300
		419	0.0065			7/6/1क	0.1945
		425	0.0910			7/5/3	0.0200
		424	0.3510			8	0.0520
		421	0.0065			12/1	0.2860
		423	0.2145			12/3	0.1300
		422	0.0130			12/2	0.1040
7.	मिर्जापुर	106/1/2	0.1000			13	0.0040
		106/1मि.	0.0750			14	0.0975
		109	0.1150			15	0.0845
		110	0.1750			33	0.0845
		111/1	0.0975			16/3	0.1105
		111/2	0.1040			25/128	0.1105
		100	0.0260			24	0.0715
		113	0.0325				

(1)	(2)	(3)	(4)	(1)	(2)	(3)	(4)
9.	सोपरा (जारी)	24/I27	0.1950	11.	सुमेर (जारी)	94	0.4300
		20	0.0130			81	0.1560
		59	0.1625			81/4	0.2300
		68	0.0040			81/1	0.1820
		67	0.1170			81/2	0.0100
		69	0.0780			83	0.3200
		66	0.0065			84	0.2300
		70	0.0500			86	0.4355
		71	0.0020			141/2ख	0.0325
		71/I29	0.0500			141/2क	0.4875
		72	0.0585			142	0.0520
		73	0.1365			143	0.0585
		76	0.0715	12.	झागर बमूरिया	61/1/2	0.3240
		78	0.0100			61/1/3	0.0250
		63/3	0.0460			61/1/6	0.2300
		77	0.1400			61/1/5	0.2500
		125/4	0.0260			123/125	0.0200
		125/Iक/1	0.2405	13.	खेरखाड़ी	18	0.0260
		I26	0.0650			16/2	0.2100
10.	बेरखेड़ी	I6/1क/5/8	0.0800			17/2	0.5525
		16/I06	0.0325			21/2	0.0200
		59	0.0800			24/1ख	0.2600
11.	सुमेर	80	0.0150			24/1क	0.5200
		65	0.0910			24/2	0.1625
		66	0.3000			22	0.1040
		67	0.0975			75	0.0130
		68	0.0150			76	0.1000
		69	0.0200	14.	अमोदा	41/2	0.1200
		70	0.0030			41/1	0.1700
		72/2	0.2600			42/1	0.3400
		71	0.1755			42/2	0.0400
		60	0.1300			42/3	0.0650
		73/Iक	0.0040			43	0.2400
		74/3	0.0700			52/1	0.1875
		74/1	0.1625			52/2	0.0325
		74/2	0.0780			51/2ख	0.0130
		75	0.0050			51/1/2	0.3835
		77	0.3120			51/1/3	0.0390
		78	0.3640			51/2ख2	0.0260
		112	0.0400			60	0.0020
		96	0.1755			58/1	0.2745
		95/3	0.1040			58/2	0.2000

(1)	(2)	(3)	(4)	(1)	(2)	(3)	(4)
14.	अमोदा	61	0.2500	16.	पाटन	17	1.3000
		233	0.0260			14	0.1950
		54/234	0.0260			16	0.0200
		67	0.0100			15	0.4550
		68	0.0020			62	0.0130
15.	मथाना	2/1	2.4375			56	0.0350
		2/2	0.1105			57	0.2450
		3	0.0600			58	0.0520
		45	0.1040			59	0.1200
		43	0.2800			53	0.2405
		24	0.0150			52	0.0300
		42	0.4225			51	0.1560
		41	0.0130			68	0.0700
		30	0.0065			67	0.3035
		39/1	0.1430			73	0.2300
		39/2	0.2340			69	} 0.1000
		39/3	0.1030			70	
		39/4	0.1400			71	0.0130
		33	0.0200			72/3	0.2000
		31	0.2405			174	0.0780
		31/5	0.2405			175	0.0200
		85	0.1150	17.	फुलेदी	175/1क	0.2665
		92	0.1900			175/1ख	0.1040
		93	0.3600			174	0.0730
		120/2	0.2600			173	1.1310
		120/1/3क	0.1450			95	0.0325
		120/1/3च	0.1250			176/2ग	0.1820
		120/1/3ग	0.1900			176/2ख	0.0040
		120/3	0.2200			176 मि.	0.5450
		120/1/1	0.4400			176 मि.	0.2925
		123	0.4500			176 मि.	0.1625
		124	0.1040			176 मि.	0.2405
		131	0.0350			176 मि.	0.4875
		137	0.4100			176/2/10	0.0975
		134	0.1820			176/2/झ	0.0325
		135	0.0715			176/2/ब्र	0.1820
		133	0.4200			176/5	0.3120
16.	पाटन	1	0.0845			172/8/27	0.0715
		2	0.0200			143	2.2590
		3	0.6110				
		13/1	1.0075				
		11	4.0950				

(1)	(2)	(3)	(4)	(1)	(2)	(3)	(4)
18.	बेलई	7	0.0260	19.	अथाई खेड़ा	790	0.3575
		1	0.0910			858	0.1150
		2	0.2120			859	0.2800
		3	0.1820			734	0.0195
		16	0.1365			727/3	0.0600
		17	0.0150			953	0.1365
		20	0.1625			954	0.2730
		19	0.0500			952	0.0020
		23	0.3500			955	0.2100
		24	0.0100			951	0.0600
		27	0.0150			956	0.2700
		28	0.2535			950/2	0.0040
		26	0.1500			966	0.0850
		41	0.0200			967	0.0520
		52	0.1950			965	0.0065
		53	0.3575			935	0.0200
		54/1क	0.3200			968	0.2200
		54/1ख मि.	0.3200			978	0.0150
		54/3क	0.5900			256	0.0520
		56	1.0600			986	0.0900
		273/2	0.1500			980	0.0100
		273	0.5000			982	0.0455
19.	अथाई खेड़ा	60	0.2100			985	0.0065
		61	0.0250			984	0.1100
		62	0.0150			983	0.0130
		63	0.0250	20.	श्यामपुरा	118/2	0.0800
		57/1	0.0800			118/1	0.1235
		64	0.0050			124	0.0020
		65	0.5500			125	0.2600
		87	0.1900			116	0.1040
		85	0.1300			115	0.1100
		812	0.0455			114	0.1430
		771	0.0065			133	0.0150
		772	0.1625			152	0.0020
		773	0.1300			155	0.1735
		774	0.1625			153	0.0800
		834	0.0130			122	0.0600
		775	0.1625			120	0.0325
		793	0.1820			118/3	0.2015
		792	0.3120			118/4	0.1235
		791	0.0195			117/1	0.1885
		789	0.0050			119	0.0020

(1)	(2)	(3)	(4)
20.	श्यामपुरा (जारी)	62	0.0780
		117/2	0.0150
		61/1	0.0780
		63/2	0.1850
		63/1	0.1885
		56	0.3000
		53	0.0520
		57	0.0520
		55	0.1560
		48	0.3380
		46	0.0020
		47	0.2405
		33	0.0100

[फा. सं. आर.-31015/5/2008 ओ आर-II]

ए. गोस्वामी, अवर सचिव

New Delhi, the 22nd July, 2008

S.O. 1990.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No.303, dated the 12th February, 2008, issued under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act) published in the Gazette of India dated the 16th February, 2008, the Central Government declared its intention to acquire the right of user in the land, specified in the Schedule appended to that notification for the purpose of laying a pipeline for transportation of petroleum products through Bina-Kota Pipeline Project from Bina terminal in the State of Madhya Pradesh to Kota in the State of Rajasthan by Bharat Petroleum Corporation Limited;

And whereas the copies of the said Gazette notification were made available to the public on the 17th May, 2008;

And whereas the competent authority has, under sub-section (1) of Section 6 of the said Act, submitted report to the Central Government;

And whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire the right of user therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said land, specified in the Schedule, appended to this notification, is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of Section 6 of the said Act, the Central Government hereby directs that the right of user in the

said land for laying the pipeline shall, instead of vesting in the Central Government, vest on the date of the publication of this declaration, in Bharat Petroleum Corporation Limited, free from all encumbrances.

SCHEDULE

Tehsil: Mungawali District : Ashok State : Madhya Pradesh

S. No.	Name of Village	Survey No.	Area in Hectare
(1)	(2)	(3)	(4)
1.	Maharajkhedhi	100	0.1944
		12/4	0.0150
		12/8	0.0390
		12/7	0.0150
		12/6	0.0100
		12/5	0.0050
		12/3	0.1400
		12/2	0.0576
		12/1	0.1170
		11	0.0130
		9/201	0.4212
		9	0.0200
2.	Pipariya Malhargan	7	0.3445
		8	0.2860
		22	0.1950
		23	0.0325
		44/M }	0.3510
		44/1 }	
		45/1 }	0.2880
		45/M }	
		43/3	0.0975
		40	0.1560
		39	0.3445
		38	0.0065
		37/2	0.0715
		37/1	0.1625
		30/4	0.0845
		33/1	0.1820
		32	0.2145
		31	0.0100
		129/2	0.0150
		130	0.0150
		188/M	0.1050
		188/2	0.0850
		195	0.2860

(1)	(2)	(3)	(4)	(1)	(2)	(3)	(4)	
2.	Pipariya Malhargan (Contd.)	196 197 204 208 207 210 209 212 211 238 236 239 240 241 253 252 251 248 250 249 247	0.2145 0.1820 0.2000 0.1750 0.0250 0.0500 0.1400 0.0065 0.0200 0.0325 0.0130 0.3400 0.3200 0.1820 0.0300 0.0150 0.0050 0.0650 0.0520 0.0020		5.	Tanda	168 166 167 7 6 5 4 16 17 22 21 23 37 30 29 28 25 359/450	0.0100 0.0130 0.0020 0.4600 0.5100 0.3705 0.1000 0.0650 0.0325 0.2600 0.0040 0.0680 0.0150 0.1430 0.3600 0.0325 0.0130 0.1105 356/449 359/2 359/1
3.	Kirmichikhedhi	4 5 7/1 7/4 7/2 6 11	0.0030 0.3900 0.2600 0.0780 0.1235 0.0715 0.0390	6.	Narkheda	357 343 354 367 373 380 375	0.1170 0.0200 0.2275 0.0200 0.0200 0.0200 0.1820	
4.	Madhhawal	1 40/1 40/2/M 12 19 16 76/3K 76/3KHA 76/3Ga 76/4 82/2 82/3 82/5 81 88	0.0130 0.3055 0.3510 0.0780 0.4030 0.0715 0.1950 0.1820 0.2405 0.0650 0.0910 0.4810 0.0520 0.1105 0.5005			376 371 390/2 377 338 405/1 406/451 434 417 418/1 418/2 419 425 424	0.0520 0.0200 0.4875 0.1625 0.0200 0.5300 0.0650 0.0260 0.2100 0.1200 0.1500 0.0065 0.0910 0.3510	

(1)	(2)	(3)	(4)	(1)	(2)	(3)	(4)
6.	Narkheda (<i>Contd.</i>)	421	0.0065	9.	Sopra (<i>Contd.</i>)	12/1	0.2860
		423	0.2145			12/3	0.1300
		422	0.0130			12/2	0.1040
7.	Mirjapur	106/1/2	0.1000			13	0.0040
		106/1M	0.0750			14	0.0975
		109	0.1150			15	0.0845
		110	0.1750			33	0.0845
		111/1	0.0975			16/3	0.1105
		111/2	0.1040			25/128	0.1105
		100	0.0260			24	0.0715
		113	0.0325			24/127	0.1950
		38/5	0.3055			20	0.0130
		38/6	0.0050			59	0.1625
		38/2Kha	0.2050			68	0.0040
		38/3	0.0200			67	0.1170
		38/7	0.1600			69	0.0780
		38/8	0.1000			66	0.0065
		23	0.0975			70	0.0500
		39	0.0325			71	0.0020
		40	0.0650			71/129	0.0500
		41	0.5395			72	0.0585
8.	Varri	90	0.0520			73	0.1365
		93/4	0.1625			76	0.0715
		93/1 K	0.2925			78	0.0100
		93/1/1	0.9165			63/3	0.0460
		93/1Kha/1	0.1235			77	0.1400
		93/6	0.0845			125/4	0.0260
		93/1Ga	0.0020			125/1Ka/1	0.2405
		93/8	0.0050			126	0.0650
9.	Sopra	1	0.0975	10.	Berkhedhi	16/1Ka/5/8	0.0800
		4	0.0100			16/106	0.0325
		5	0.1560			59	0.0800
		6	0.0800	11.	Surmer	80	0.0150
		7/13	0.2115			65	0.0910
		7/7	0.2930			66	0.3000
		7/5/1	0.1195			67	0.0975
		7/2Kha	0.0040			68	0.0150
		7/9/2Kha	0.0975			69	0.0200
		7/9/2	0.1300			70	0.0030
		7/6/1Ka	0.1945			72/2	0.2600
		7/5/3	0.0200			71	0.1755
		8	0.0520			60	0.1300

(1)	(2)	(3)	(4)	(1)	(2)	(3)	(4)
11.	Sumer (<i>Contd.</i>)	73/1Ka	0.0040	14.	Amoda (<i>Contd.</i>)	43	0.2400
		74/3	0.0700			52/1	0.1875
		74/1	0.1625			52/2	0.0325
		74/2	-0.0780			51/2Kha	0.0130
		75	0.0050			51/1/2	0.3835
		77	0.3120			51/1/3	0.0390
		78	0.3640			51/2Kha2	0.0260
		112	0.0400			60	0.0020
		96	0.1755			58/1	0.2745
		95/3	0.1040			58/2	0.2000
		94	0.4300			61	0.2500
		81	0.1560			233	0.0260
		81/4	0.2300			54/234	0.0260
		81/1	0.1820			67	0.0100
		81/2	0.0100			68	0.0020
		83	0.3200	15.	Mathana	2/1	2.4375
		84	0.2300			2/2	0.1105
		86	0.4355			3	0.0600
		141/2Ka	0.0325			45	0.1040
		141/2Ka	0.4875			43	0.2800
		142	0.0520			24	0.0150
		143	0.0585			42	0.4225
12.	Jhagar Barnuriya	61/1/2	0.3240			41	0.0130
		61/1/3	0.0250			30	0.0065
		61/1/6	0.2300			39/1	0.1430
		61/1/5	0.2500			39/2	0.2340
		123/125	0.0200			39/3	0.1030
13.	Kherkhadhi	18	0.0260			39/4	0.1400
		16/2	0.2100			33	0.0200
		17/2	0.5525			31	0.2405
		21/2	0.0200			31/5	0.2405
		24/1Ka	0.2600			85	0.1150
		24/1Ka	0.5200			92	0.1900
		24/2	0.1625			93	0.3600
		22	0.1040			120/2	0.2600
		75	0.0130			120/1/3Ka	0.1450
		76	0.1000			120/1/3Gha	0.1250
14.	Amoda	41/2	0.1200			120/1/3Ga	0.1900
		41/1	0.1700			120/3	0.2200
		42/1	0.3400			120/1/1	0.4400
		42/2	0.0400			123	0.4500
		42/3	0.0650			124	0.1040

(1)	(2)	(3)	(4)	(1)	(2)	(3)	(4)
15.	Mathana (Contd.)	131	0.0350	17.	Phuledi (Contd.)	176मि.	0.2405
		137	0.4100			176मि.	0.4875
		134	0.1820			176/2/10	0.0975
		135	0.0715			176/2ब	0.0325
		133	0.4200			176/2ण	0.1820
16.	Patan	1	0.0845			176/5	0.3120
		2	0.0200			172/8/27	0.0715
		3	0.6110			143	2.2590
		13/1	1.0075	18.	Belai	7	0.0260
		11	4.0950			1	0.0910
		17	1.3000			2	0.2120
		14	0.1950			3	0.1820
		16	0.0200			16	0.1365
		15	0.4550			17	0.0150
		62	0.0130			20	0.1625
		56	0.0350			19	0.0500
		57	0.2450			23	0.3500
		58	0.0520			24	0.0100
		59	0.1200			27	0.0150
		53	0.2405			28	0.2535
		52	0.0300			26	0.1500
		51	0.1560			41	0.0200
		68	0.0700			52	0.1950
		67	0.3035			53	0.3575
		73	0.2300			54/1क	0.3200
		69	0.1000			54/1ख मि.	0.3200
		70				54/3क	0.5900
		71	0.0130			56	1.0600
		72/3	0.2000			273/2	0.1500
		174	0.0780			273	0.5000
17.	Phuledi	175	0.0200	19.	Athai kheda	60	0.2100
		175/1क	0.2665			61	0.0250
		175/1ख	0.1040			62	0.0150
		174	0.0730			63	0.0250
		173	1.1310			57/1	0.0800
		95	0.0325			64	0.0050
		176/2ण	0.1820			65	0.5500
		176/2ख	0.0040			87	0.1900
		176Mमि.	0.5450			85	0.1300
		176मि.	0.2925			812	0.0455
		176मि.	0.1625			771	0.0065
						772	0.1625

(1)	(2)	(3)	(4)	(1)	(2)	(3)	(4)
19.	Athai kheda (Contd.)	773	0.1300	20.	Shyampura (Contd.)	122	0.0600
		774	0.1625			120	0.0325
		834	0.0130			118/3	0.2015
		775	0.1625			118/4	0.1235
		793	0.1820			117/1	0.1885
		792	0.3120			119	0.0020
		791	0.0195			62	0.0780
		789	0.0050			117/2	0.0150
		790	0.3575			61/1	0.0780
		858	0.1150			63/2	0.1850
		859	0.2800			63/1	0.1885
		734	0.0195			56	0.3000
		727/3	0.0600			53	0.0520
		953	0.1365			57	0.0520
		954	0.2730			55	0.1560
		952	0.0020			48	0.3380
		955	0.2100			46	0.0020
		951	0.0600			47	0.2405
		956	0.2700			33	0.0100
		950/2	0.0040				
		966	0.0850				
		967	0.0520				
		965	0.0065				
		935	0.0200				
		968	0.2200				
		978	0.0150				
		256	0.0520				
		986	0.0900				
		980	0.0100				
		982	0.0455				
		985	0.0065				
		984	0.1100				
		983	0.0130				
20.	Shyampura	118/2	0.0800				
		118/1	0.1235				
		124	0.0020				
		125	0.2600				
		116	0.1040				
		115	0.1100				
		114	0.1430				
		133	0.0150				
		152	0.0020				
		155	0.1735				
		153	0.0800				

[F. N. R-31015/5/2008 OR-II]

A. GOSWAMI, Under Secy.

नई दिल्ली, 22 जुलाई, 2008

का. आ. 1991.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 307 तारीख 14 फरवरी, 2008, जो भारत के राजपत्र तारीख 16 फरवरी, 2008 में प्रकाशित की गई थी द्वारा उस अधिसूचना से संलग्न अनुच्छेदी में विनिर्दिष्ट भूमि में मध्यप्रदेश राज्य में बीना सैथ्यापन से सञ्चालन राज्य में कोटा तक पेट्रोलियम उत्पादों के परिवहन के लिए बीना-कोटा पाइपलाइन परियोजना के माध्यम से भारत पेट्रोलियम कारपोरेशन लिमिटेड द्वारा एक पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन के अपेक्षे आशय की घोषणा की थी;

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 24 मई, 2008 को उपलब्ध करा दी गई थी ;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन, केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात्, और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिये अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है;

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख को केन्द्रीय सरकार में निहित होने की बजाए, सभी विलंगणमें से मुक्त, भारत पेट्रोलियम कारपोरेशन लिमिटेड में निहित होगा।

अनुसूची

तहसील : अटरू	जिला : बारां	राज्य : राजस्थान	
क्र. सं.	ग्राम का नाम	सर्वे नंबर	क्षेत्रफल हैक्टेयर में
(1)	(2)	(3)	(4)
1.	सहरोद	33	0.0360
		36	0.1440
		32	0.0360
		31	0.1512
		26	0.4000
		24	0.0360
		25	0.1368
		25/1576	0.0216
		22	0.2200
		21	0.0432
		21/1532	0.0360
		19	0.2592
		18	0.0144
		16	0.3800
		16/1547	0.0432
		761	0.1500
		761/1548	0.2050
		762	0.0864
		767	0.0360
		791	0.2800
		792	0.1728
		794	0.0360
		805	0.0360
		801	0.0144
		802	0.3500
		800	0.2088
		808	0.0072
		799	0.1800
		798	0.1008

(1)	(2)	(3)	(4)
1.	सहरोद (जारी)	863	0.0360
		903	0.4176
		903/1680	0.0072
		903/1803	0.0072
		902	0.0792
		914	0.0360
		916	0.1440
		917	0.1800
		918	0.0720
		919	0.1728
		924	0.0720
		921	0.0648
		922	0.2520
		934	0.0144
		973	0.1800
		943/1518	0.0216
		965/1541	0.0216
		965	0.2592
		967	0.2016
		964	0.0504
		963	0.1080
		980	0.1728
		981	0.0432
		983	0.0360
		984	0.3456
		985	0.1584
		985/1692	0.0144
		1008	0.1584
		1008/1693	0.0072
		1008/1700	0.0144
		1002	0.1512
		1001	0.2592
		1000	0.1584
		999	0.0216
		998	0.1800
		998/1696	0.0144
		997	0.1584
		996	0.0504
		1034	0.1440
		995	0.1080
		1035	0.3240
		994	0.0144

(1)	(2)	(3)	(4)	(1)	(2)	(3)	(4)
2.	झाटी	1477	0.0216	5.	खुरी (जारी)	358/1450	0.0144
		1478	0.0072			357	0.3240
		1479	0.0216			357/1641	0.0144
		1480	0.0144			355	0.0288
		1481	0.0252			356	0.2450
3.	काचरा	114	0.0216			389	0.2000
4.	जिरोद	3	0.1440			388	0.0720
		4	0.0144			392	0.0216
		3/702	0.0216			432	0.0360
		8	0.1440			433	0.1630
		5/704	0.0144			434	0.1100
		5	0.0360			439	0.0300
		28/708	0.0072			452	0.0650
		6/705	0.0072			454	0.2050
		6	0.0720			455	0.0288
		73	0.0720			456	0.1562
		28/706	0.0144			457	0.0770
		28	0.0144			458	0.0020
		53	0.2016			449	0.0460
		52	0.0936			460	0.1000
		43	0.4464			461	0.0144
		44	0.2160			462	0.7676
		36	0.4320			630	0.0144
		37	0.1224			1274	0.0144
		32	0.0144			1295	0.0504
		31	0.0360			1294	0.0720
		5.	खुरी	294	0.0216	1296	0.0144
		295	0.0020			1289	0.0252
		293	0.1884		1298/1651		0.0432
		298	0.1250		1298/1650		0.0040
		299	0.2160			1298	0.0200
		300	0.0360			1299	0.0470
		317	0.3300			1300	0.0530
		317/1633	0.0360			1301	0.0576
		318	0.0260			1285	0.0040
		316	0.2300			1302	0.1000
		315	0.0020			1350	0.0700
		320	0.2560			1351	0.0630
		330	0.0820			1352	0.1000
		330/1639	0.0630		1369/1574		0.1080
		329	0.4060			1368	0.1650
		358	0.1500			1365	0.0530

(1)	(2)	(3)	(4)	(1)	(2)	(3)	(4)
5.	खुरी (जारी)	1366	0.0040	6.	निमोदा (जारी)	286	0.0360
		1378	0.0360			151	0.1440
		1379	0.1080			129	0.0288
		1382	0.2232	7.	मेरमातालाब	6	0.1080
		1402	0.2950			25	0.0216
		1400	0.0790			26	0.3200
		1401	0.0470			27	0.3200
		1397	0.1350			28	0.0864
		1398	0.2900			29	0.2160
		1396	0.0450			72	0.0900
		1396/1578	0.500			67	0.3450
		1395	0.0216				
6.	निमोदा	9	0.0216			65	0.2300
		12	0.0864			55	0.1950
		12/312	0.3600			54	0.0360
		10	0.0220			885	0.2100
		11	0.0020			880	0.0144
		94	0.0100			874	0.3560
		93	0.0720			875	0.0020
		93/300	0.3150			872	0.0300
		91	0.1944			873	0.0260
		91/381	0.0360			864	0.1080
		91/380	0.0144			863	0.0072
		90	0.0144			862	0.2660
		101	0.0600			732	0.0576
		102	0.0144			747	0.0020
		103	0.2200			750	0.0040
		107	0.0500			751	0.0240
		104	0.0144			752	0.1794
		108	0.1100			754	0.0288
		106	0.0132			723	0.0810
		113	0.2880			722	0.4280
		113/384	0.0072			585	0.0648
		116	0.0100			586	0.0100
		115	0.1728			584	0.0100
		115/386	0.0144			583	0.0020
		114	0.2160			581	0.0750
		175/387	0.0432			580	0.0400
		125/387	0.0432			579	0.0040
		125/315	0.0648			554/1261	0.0216
		125/322	0.1800			556	0.0990
		128	0.0288			557	0.0864
		127	0.1440			558	0.0720

(1)	(2)	(3)	(4)	(1)	(2)	(3)	(4)
7.	मेरमातालाब (जारी)	561	0.1080	8.	गन्दोलिया (जारी)	303	0.0360
		570	0.0020			299	0.0432
		562	0.0500			298	0.0216
		569	0.0500			303/768	0.0432
		568	0.1152			736	0.2016
		567	0.0020			735	0.0020
		615	0.2800			736/910	0.0144
		513	0.0504			737	0.2880
		482	0.2916			746	0.0432
		483	0.1800			746/784	0.2448
		485	0.0216			745	0.1152
		486	0.3096			745/899	0.0216
		488	0.1710			749	0.0144
		490	0.0072			738	0.0432
		491	0.0144			750	0.2880
8.	गन्दोलिया	51	0.1584			752	0.0216
		52	0.1440			751	0.0144
		57	0.0144	9.	अटरू	612	0.0504
		58	0.2016			615	0.3916
		58/774	0.1296			648	0.0036
		62	0.0360			649	0.0278
		62/951	0.0072			647	0.0684
		61	0.0216			644/1937	0.0270
		61/950	0.0072			646/1937	0.0270
		64	0.0576			653	0.3240
		60	0.0144			598	0.0396
		81	0.0216			661	0.0144
		82	0.2304			665	0.1404
		83	0.2160			519	0.0020
		215	0.3240			520	0.0020
		214/958	0.0288			517	0.0306
		269	0.0360			518	0.0072
		270	0.0144			521	0.1908
		265/904	0.0020			516	0.3420
		265	0.1440			511	0.0558
		276	0.0072			679	0.2970
		278	0.1080			507	0.0378
		277	0.0720			681	0.0080
		287	0.2160			681/1952	0.0072
		305	0.2088			682	0.0756
		306	0.0864			683	0.2214
		307	0.0144			501	0.2538

(1)	(2)	(3)	(4)	(1)	(2)	(3)	(4)
9.	अटरू (जारी)	502	0.1494	11.	खेड़लीबांसला (जारी)	5	0.0610
		498	0.0036			9	0.3600
		496	0.0342			8	0.0216
		497	0.1404			12	0.0500
		416	0.0558			30	0.0700
		353	0.3386			28	0.2520
		313	0.3690			27	0.1872
		314	0.0130			26	0.1080
		317	0.1944			56	0.0820
		305	0.1134		16/628		0.0100
		319	0.3024			25	0.2520
		304/1902	0.0072			66	0.2520
		302	0.0072			67	0.0750
		301	0.0558			64	0.1530
		280	0.0738			98	0.1550
		300	0.3220			97	0.0100
		281	0.0100			95	0.2000
		289	0.1224			195	0.1800
		288	0.0072			196	0.1700
		287	0.0384			197	0.0360
		291	0.0036			198	0.0720
10.	लक्ष्मीपुरा	92	0.1490			199	0.0504
		91	0.0600			200	0.0020
		79	0.1670			203	0.1872
		77	0.0020			238	0.2664
		80	0.0020			239	0.3240
		76	0.2160			236	0.0360
		75	0.1440			240	0.1080
		67	0.0396			235	0.0864
		56	0.2970			233	0.2720
		48	0.0010			227	0.0648
		52	0.0020			520	0.0360
		51	0.0160			515	0.2160
		49	0.3470			518	0.0630
		50	0.1728			525	0.1750
		14	0.0080			526	0.1440
		13	0.0300			528	0.0630
		12	0.0360			527	0.1530
		11	0.4350			549	0.1224
11.	खेड़लीबांसला	2	0.0216	12.	बरला	550	0.0072
		4	0.0144			604	0.0330
						634	0.0100

(1)	(2)	(3)	(4)	(1)	(2)	(3)	(4)
12.	बरसां (जारी)	633	0.0100	14.	बलदेवपुरा (जारी)	201	0.0360
		608	0.1080			201/417	0.0144
		631	0.0936			202	0.0288
		630	0.1584			217/521	0.0288
		642	0.0100			218	0.0864
		629	0.2016			219	0.0720
		626/1078	0.1080			213	0.1440
		628	0.0400			213/441	0.0650
		625	0.0216			221	0.0576
		626/1076	0.3744			224	0.1628
		624	0.0432			225	0.0040
		623	0.4100			223	0.0720
		622	0.0288			228	0.0072
		621	0.4100			229	0.2044
		620	0.0540			229/416	0.1860
		619	0.0180			333	0.0720
		618	0.0648			335/403	0.0140
		617	0.5580			332	0.0432
		617/1003	0.0144			324/404	0.0504
13.	छत्तेपुरा	849	0.0070			323	0.0792
		848	0.1260			321	0.0300
		847	0.0144			323/372	0.0432
		846	0.3960			324	0.0504
		844	0.0360			324/477	0.0720
		843	0.0100			324/406	0.0504
		831	0.1052			324/405	0.0432
		832	0.4050			331	0.0140
		829	0.1720	15.	दड़ा	596	0.0594
		828	0.3330			538	0.0100
		823	0.0144			540	0.0540
		459	0.0504			541	0.0792
14.	बलदेवपुरा	174	0.3800			542	0.1440
		195	0.1584			516/728	0.0072
		196	0.0432			513	0.0864
		241/476	0.0020			510	0.0360
		197	0.0720			512	0.0030
		191	0.0020			511	0.0648
		198	0.0792			508	0.0030
		190/474	0.0020			521	0.1296
		197/475	0.0360			507	0.0200
		199	0.0864			522	0.0040
		200	0.1152			523	0.1152

(1)	(2)	(3)	(4)
15.	दड़ा (जारी)	524	0.0400
		525	0.0792
		462	0.0220
		455	0.0864
		448	0.1656
		445	0.4680
		444	0.0360
		241/654	0.0792
		241/624	0.0792
		241	0.1800
		243	0.0040
		239	0.0144
		240	0.1440
		216	0.0216

[फा. सं. आर.-31015/3/2008-ओ आर-II]

ए. गोस्वामी, अवर सचिव

New Delhi, the 22nd July, 2008

S.O. 1991.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas No. S.O. 307, dated the 14th February, 2008, issued under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act) published in the Gazette of India dated the 16th February, 2008, the Central Government declared its intention to acquire the right of user in the land, specified in the Schedule appended to that notification for the purpose of laying a pipeline for transportation of petroleum products through Bina-Kota Pipeline Project from Bina terminal in the State of Madhya Pradesh to Kota in the State of Rajasthan by Bharat Petroleum Corporation Limited;

And whereas the copies of the said Gazette notification were made available to the public on the 24th May, 2008;

And whereas the competent authority has, under sub-section (1) of Section 6 of the said Act, submitted report to the Central Government;

And whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire the right of user therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said land, specified in the Schedule, appended to this notification, is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of Section 6 of the said Act, the Central Government hereby directs that the right of user in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest on the date of the publication of this declaration, in Bharat Petroleum Corporation Limited, free from all encumbrances.

SCHEDULE

Tehsil : Atru		District : Baran	State : Rajasthan
S. No.	Name of Village	Survey No.	Area in Hectare
1	2	3	4
1.	Sahrod	33	0.0360
		36	0.1440
		32	0.0360
		31	0.1512
		26	0.4000
		24	0.0360
		25	0.1368
		25/1576	0.0216
		22	0.2200
		21	0.0432
		21/1532	0.0360
		19	0.2592
		18	0.0144
		16	0.3800
		16/1547	0.0432
		761	0.1500
		761/1548	0.2050
		762	0.0864
		767	0.0360
		791	0.2800
		792	0.1728
		794	0.0360
		805	0.0360
		801	0.0144
		802	0.3500
		800	0.2088
		808	0.0072
		799	0.1800
		798	0.1008
		863	0.0360
		903	0.4176
		903/1680	0.0072
		903/1803	0.0072

(1)	(2)	(3)	(4)	(1)	(2)	(3)	(4)
1.	Sahrod (<i>Contd.</i>)	902	0.0792	3.	Kachra	114	0.0216
		914	0.0360	4.	Jirod	3	0.1440
		916	0.1440			4	0.0144
		917	0.1800			3/702	0.0216
		918	0.0720			8	0.1440
		919	0.1728			5/704	0.0144
		924	0.0720			5	0.0360
		921	0.0648			28/708	0.0072
		922	0.2520			6/705	0.0072
		934	0.0144			6	0.0720
		973	0.1800			73	0.0720
		943/1518	0.0216			28/706	0.0144
		965/1541	0.0216			28	0.0144
		965	0.2592			53	0.2016
		967	0.2016			52	0.0936
		964	0.0504			43	0.4464
		963	0.1080			44	0.2160
		980	0.1728			36	0.4320
		981	0.0432			37	0.1224
		983	0.0360			32	0.0144
		984	0.3456			31	0.0360
		985	0.1584	5.	Khuri	294	0.0216
		985/1692	0.0144			295	0.0020
		1008	0.1584			293	0.1884
		1008/1693	0.0072			298	0.1250
		1008/1700	0.0144			299	0.2160
		1002	0.1512			300	0.0360
		1001	0.2592			317	0.3300
		1000	0.1584			317/1633	0.0360
		999	0.0216			318	0.0260
		998	0.1800			316	0.2300
		998/1696	0.0144			315	0.0020
		997	0.1584			320	0.2560
		996	0.0504			330	0.0820
		1034	0.1440			330/1639	0.0630
		995	0.1080			329	0.4060
		1035	0.3240			358	0.1500
		994	0.0144			358/1450	0.0144
2.	Dhhoti	1477	0.0216			357	0.3240
		1478	0.0072			357/1641	0.0144
		1479	0.0216			355	0.0288
		1480	0.0144			356	0.2450
		1481	0.0252			389	0.2000

(1)	(2)	(3)	(4)	(1)	(2)	(3)	(4)
5.	Khuri (Contd.)	388	0.0720	5.	Khuri (Contd.)	1401	0.0470
		392	0.0216			1397	0.1350
		432	0.0360			1398	0.2900
		433	0.1630			1396	0.0450
		434	0.1100			1396/1578	0.0500
		439	0.0300			1395	0.0216
		452	0.0650	6.	Nimoda	9	0.0216
		454	0.2050			12	0.0864
		455	0.0288			12/312	0.3600
		456	0.1562			10	0.0220
		457	0.0770			11	0.0020
		458	0.0020			94	0.0100
		449	0.0460			93	0.0720
		460	0.1000			93/300	0.3150
		461	0.0144			91	0.1944
		462	0.7676			91/381	0.0360
		630	0.0144			91/380	0.0144
		1274	0.0144			90	0.0144
		1295	0.0504			101	0.0600
		1294	0.0720			102	0.0144
		1296	0.0144			103	0.2200
		1289	0.0252			107	0.0500
		1298/1651	0.0432			104	0.0144
		1298/1650	0.0040			108	0.1100
		1298	0.0200			106	0.0132
		1299	0.0470			113	0.2880
		1300	0.0530			113/384	0.0072
		1301	0.0576			116	0.0100
		1285	0.0040			115	0.1728
		1302	0.1000			115/386	0.0144
		1350	0.0700			114	0.2160
		1351	0.0630			175/387	0.0432
		1352	0.1000			125/387	0.0432
		1369	0.1080			125/315	0.0648
		1369/1574	0.0288			125/322	0.1800
		1368	0.1650			128	0.0288
		1365	0.0530			127	0.1440
		1366	0.0040			286	0.0360
		1378	0.0360			151	0.1440
		1379	0.1080			129	0.0288
		1382	0.2232	7.	Mermatalab	6	0.1080
		1402	0.2950			25	0.0216
		1400	0.0790			26	0.3200

(1)	(2)	(3)	(4)	(1)	(2)	(3)	(4)
7.	Mermatalab (<i>Contd.</i>)	27	0.3200	7.	Mermatalab (<i>Contd.</i>)	513	0.0504
		28	0.0864			482	0.2916
		29	0.2160			483	0.1800
		72	0.0900			485	0.0216
		67	0.3450			486	0.3096
		65	0.2300			488	0.1710
		55	0.1950			490	0.0072
		54	0.0360			491	0.0144
		885	0.2100	8.	Gandoliya	51	0.1584
		880	0.0144			52	0.1440
		874	0.3560			57	0.0144
		875	0.0020			58	0.2016
		872	0.0300			58/774	0.1296
		873	0.0260			62	0.0360
		864	0.1080			62/951	0.0072
		863	0.0072			61	0.0216
		862	0.2660			61/950	0.0072
		732	0.0576			64	0.0576
		747	0.0020			60	0.0144
		750	0.0040			81	0.0216
		751	0.0240			82	0.2304
		752	0.1794			83	0.2160
		754	0.0288			215	0.3240
		723	0.0810			214/958	0.0288
		722	0.4280			269	0.0360
		585	0.0648			270	0.0144
		586	0.0100			265/904	0.0020
		584	0.0100			265	0.1440
		583	0.0020			276	0.0072
		581	0.0750			278	0.1080
		580	0.0400			277	0.0720
		579	0.0040			287	0.2160
		554/1261	0.0216			305	0.2088
		556	0.0990			306	0.0864
		557	0.0864			307	0.0144
		558	0.0720			303	0.0360
		561	0.1080			299	0.0432
		570	0.0020			298	0.0216
		562	0.0500			303/768	0.0432
		569	0.0500			736	0.2016
		568	0.1152			735	0.0020
		567	0.0020			736/910	0.0144
		615	0.2800			737	0.2880

(1)	(2)	(3)	(4)	(1)	(2)	(3)	(4)
8.	Gandoliya (Contd.)	746	0.0432	9.	Atru (Contd.)	305	0.1134
		746/784	0.2448			319	0.3024
		745	0.1152			304/1902	0.0072
		745/899	0.0216			302	0.0072
		749	0.0144			301	0.0558
		738	0.0432			280	0.0738
		750	0.2880			300	0.3220
		752	0.0216			281	0.0100
		751	0.0144			289	0.1224
9.	Atru	612	0.0504			288	0.0072
		615	0.3916			287	0.0384
		648	0.0036			291	0.0036
		649	0.0278	10.	Laxmipura	92	0.1490
		647	0.0684			91	0.0600
		644/1937	0.0270			79	0.1670
		646/1937	0.0270			77	0.0020
		653	0.3240			80	0.0020
		598	0.0396			76	0.2160
		661	0.0144			75	0.1440
		665	0.1404			67	0.0396
		519	0.0020			56	0.2970
		520	0.0020			48	0.0010
		517	0.0306			52	0.0020
		518	0.0072			51	0.0160
		521	0.1908			49	0.3470
		516	0.3420			50	0.1728
		511	0.0558			14	0.0080
		679	0.2970			13	0.0300
		507	0.0378			12	0.0360
		681	0.0080			11	0.4350
		681/1952	0.0072	11.	Khedilibansla	2	0.0216
		682	0.0756			4	0.0144
		683	0.2214			5	0.0610
		501	0.2538			9	0.3600
		502	0.1494			8	0.0216
		498	0.0036			12	0.0500
		496	0.0342			30	0.0700
		497	0.1404			28	0.2520
		416	0.0558			27	0.1872
		353	0.3386			26	0.1080
		313	0.3690			56	0.0820
		314	0.0130			56/628	0.0100
		317	0.1944			25	0.2520

(1)	(2)	(3)	(4)	(1)	(2)	(3)	(4)
11.	Khedlibansla (<i>Contd.</i>)	66	0.2520	12.	Barlan (<i>Contd.</i>)	622	0.0288
		67	0.0750			621	0.4100
		64	0.1530			620	0.0540
		98	0.1550			619	0.0180
		97	0.0100			618	0.0648
		95	0.2000			617	0.5580
		195	0.1800			617/1003	0.0144
		196	0.1700	13.	Chhatrapura	849	0.0070
		197	0.0360			848	0.1260
		198	0.0720			847	0.0144
		199	0.0504			846	0.3960
		200	0.0020			844	0.0360
		203	0.1872			843	0.0100
		238	0.2664			831	0.1052
		239	0.3240			832	0.4050
		236	0.0360			829	0.1720
		240	0.1080			828	0.3330
		235	0.0864			823	0.0144
		233	0.2720			459	0.0504
		227	0.0648	14.	Baldevpura	174	0.3800
		520	0.0360			195	0.1584
		515	0.2160			196	0.0432
		518	0.0630			241/476	0.0020
		525	0.1750			197	0.0720
		526	0.1440			191	0.0020
		528	0.0630			198	0.0792
		527	0.1530			190/474	0.0020
		549	0.1224			197/475	0.0360
		550	0.0072			199	0.0864
12.	Barlan	604	0.0330			200	0.1152
		634	0.0100			201	0.0360
		633	0.0100			201/417	0.0144
		608	0.1080			202	0.0288
		631	0.0936			217/521	0.0288
		630	0.1584			218	0.0864
		642	0.0100			219	0.0720
		629	0.2016			213	0.1440
		626/1078	0.1080			213/441	0.0650
		628	0.0400			221	0.0576
		625	0.0216			224	0.1628
		626/1076	0.3744			225	0.0040
		624	0.0432			223	0.0720
		623	0.4100			228	0.0072

(1)	(2)	(3)	(4)
14.	Baldevpura (Contd.)	229	0.2044
		229/416	0.1860
		333	0.0720
		335/403	0.0140
		332	0.0432
		324/404	0.0504
		323	0.0792
		321	0.0300
		323/372	0.0432
		324	0.0504
		324/477	0.0720
		324/406	0.0504
		324/405	0.0432
		331	0.0140
15.	Dadha	596	0.0594
		538	0.0100
		540	0.0540
		541	0.0792
		542	0.1440
		516/728	0.0072
		513	0.0864
		510	0.0360
		512	0.0030
		511	0.0648
		508	0.0030
		521	0.1296
		507	0.0200
		522	0.0040
		523	0.1152
		524	0.0400
		525	0.0792
		462	0.0220
		455	0.0864
		448	0.1656
		445	0.4680
		444	0.0360
		241/654	0.0792
		241/624	0.0792
		241	0.1800
		243	0.0040
		239	0.0144
		240	0.1440
		216	0.0216

[F.N. R-31015/3/2008 O.R.-II]

A. GOSWAMI, Under Secy.

नई दिल्ली, 25 जुलाई, 2008

का, आ. 1992.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 371 तारीख 21 फरवरी, 2008, जो भारत के राजपत्र तारीख 23 फरवरी, 2008 में प्रकाशित की गई थी, द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में मध्य प्रदेश राज्य में बीना संस्थापन से राजस्थान राज्य में कोटा तक पेट्रोलियम उत्पादों के परिवहन के लिए बीना-कोटा पाइपलाइन परियोजना के माध्यम से भारत पेट्रोलियम कारपोरेशन लिमिटेड द्वारा एक पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन के अपने आशय की घोषणा की थी;

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 10 जून, 2008 को उपलब्ध करा दी गई थी;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन, केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात्, और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिये अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है;

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख को केन्द्रीय सरकार में निहित होने की बजाए, सभी विलांगमों से मुक्त, भारत पेट्रोलियम कारपोरेशन लिमिटेड में निहित होगा।

अनुसूची

तहसील : छबड़ा जिला : बारां राज्य : राजस्थान

क्र. सं.	ग्राम का नाम	सर्वे नंबर	क्षेत्रफल हैक्टेयर में
(1)	(2)	(3)	(4)
1.	खोखई	135	0.2286
		96	0.0150
		185/94	0.3924
		94	0.1620
2.	खेड़ली	105	0.3060
		101	0.3636
		101/130	0.0936

(1)	(2)	(3)	(4)	(1)	(2)	(3)	(4)
2.	खेड़ली (जारी)	102	0.0936		खेड़ी (जारी)	188	0.0360
		97	0.1656			186	0.0940
		98	0.0828	4.	शेखापुर	327	0.0216
		95	0.1260			318	0.3960
		94	0.2016			319	0.0216
		92	0.1296			317	0.2100
		90	0.0072			320	0.0600
		70	0.1692			321	0.4300
		69	0.0504			346	0.3200
		68	0.2256			353	0.2800
		75	0.0020			354	0.0030
		67	0.1440			355	0.0500
		33	0.1386			356	0.0600
		32	0.0020			357	0.2550
		31	0.3132			361	0.0720
		30	0.0900			363	0.1250
		37	0.0072			362	0.1600
		35	0.0020			368	0.0500
3.	खेड़ी	76	0.3096			411	0.0720
		77	0.1300			412	0.3384
		78	0.1800			410	0.2124
		82	0.0288			409	0.0300
		83	0.0540			408	0.0600
		84	0.1080			406	0.1944
		111	0.0720			405	0.1900
		110	0.1050			414	0.0330
		109	0.2168	5.	कछवन	109	0.0216
		102	0.0252			101	0.0040
		103	0.0800			105	0.0040
		107	0.0072			106	0.2880
		104	0.2100			125	0.9600
		105	0.0216			122	0.3780
		106	0.0432			141	0.3240
		156	0.0750			142	0.0020
		157	0.2736			154	0.4250
		158	0.2592			152/176	0.0612
		193	0.1800			163	0.0972
		177	0.0020			150	0.3366
		192/285	0.0120			140	0.0080
		178	0.0740	6.	दीलोद	62	0.0216
		191	0.1530			65	0.1600
		190	0.1120			116	0.1170
		189	0.1800				

(1)	(2)	(3)	(4)	(1)	(2)	(3)	(4)
दीलोद (जारी)	116/368	0.0576		सागोड़ा (जारी)	37	0.0360	
	117	0.3190			66	0.3434	
	119	0.3840			67	0.0720	
	120	0.6460			68	0.1424	
	121	0.4770			72	0.1332	
	123	0.3190			74/2	0.0180	
	125	0.2470			212/74	0.2360	
	140	0.2470			70	0.1280	
	137	0.4500			76	0.0432	
	163	0.6600			108	0.0576	
	164	0.0072			107	0.0288	
	165	0.0216			101	0.1540	
	167/510	0.1296			100	0.2360	
	167/511	0.0648			77	0.0396	
	172/522	0.2972			98	0.0324	
	172/520	0.2972			97	0.0108	
	172	0.2756			96	0.0324	
7. बीलखेड़ा	98	0.0540			213/77	0.0576	
	95	0.0020			78	0.1320	
	96	0.0100			109	0.0144	
	97	0.3100			180	0.0720	
	101	0.3200		9. कड़ीखेड़ी	1	0.0594	
	125	0.3240			18	0.3096	
	117	0.3240			18/155	0.1224	
	118	0.2232			18/154	0.1728	
	121	0.0020			18/127	0.1296	
	119	0.1296			19	0.0040	
	120	0.0324			7	0.1872	
	165	0.7200			8		0.3240
	271	0.2340			8/126}		
	270	0.2340					
	280	0.2340					
	267	0.0900					
	281	0.0400					
	282	0.0140					
	285	0.3600					
	284	0.0972					
	294	0.1260					
	295	0.3700					
	324	0.0288					
8. सागोड़ा	8	0.0432					
	15	0.0648					

[फा. सं. आर-31015/10/2008 ओ आर-II]

ए. गोस्वामी, अवर सचिव

New Delhi, the 25th July, 2008

S.O. 1992.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 371, dated the 21st February, 2008, issued under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act) published in the Gazette of India dated the 23rd February, 2008, the Central Government declared its intention to acquire the right of user in the land, specified in the Schedule appended to that notification for the purpose of laying a pipeline for transportation of petroleum

products through Bina-Kota Pipeline Project from Bina terminal in the State of Madhya Pradesh to Kota in the State of Rajasthan by Bharat Petroleum Corporation Limited;

And whereas the copies of the said Gazette notification were made available to the public on the 10th June, 2008;

And whereas the competent authority has, under sub-section (1) of Section 6 of the said Act, submitted report to the Central Government;

And whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire the right of user therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said land, specified in the Schedule, appended to this notification, is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of Section 6 of the said Act, the Central Government hereby directs that the right of user in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest on the date of the publication of this declaration, in Bharat Petroleum Corporation Limited, free from all encumbrances.

SCHEDULE

Tehsil: Chhabra District : Baran State : Rajasthan

S. No.	Name of Village	Survey No.	Area in Hectare
(1)	(2)	(3)	(4)
1.	Khokhai	135	0.2286
		96	0.0150
		185/94	0.3924
		94	0.1620
2.	Khedli	105	0.3060
		101	0.3636
		101/130	0.0936
		102	0.0936
		97	0.1656
		98	0.0828
		95	0.1260
		94	0.2016
		92	0.1296
		90	0.0072
		70	0.1692
		69	0.0504
		68	0.2256
		75	0.0020

(1)	(2)	(3)	(4)
	Khedli (Contd.)	67	0.1440
		33	0.1386
		32	0.0020
		31	0.3132
		30	0.0900
		37	0.0072
		35	0.0020
3.	Khedi	76	0.3096
		77	0.1300
		78	0.1800
		82	0.0288
		83	0.0540
		84	0.1080
		111	0.0720
		110	0.1050
		109	0.2168
		102	0.0252
		103	0.0800
		107	0.0072
		104	0.2100
		105	0.0216
		106	0.0432
		156	0.0750
		157	0.2736
		158	0.2592
		193	0.1800
		177	0.0020
		192/285	0.0120
		178	0.0740
		191	0.1530
		190	0.1120
		189	0.1800
		188	0.0360
		186	0.0940
4.	Shekhpur	327	0.0216
		318	0.3960
		319	0.0216
		317	0.2100
		320	0.0600
		321	0.4300
		346	0.3200
		353	0.2800
		354	0.0030

(1)	(2)	(3)	(4)	(1)	(2)	(3)	(4)
4.	Shekhapur (Contd.)	355	0.0500	6.	Dilod (Contd.)	167/510	0.1296
		356	0.0600			167/511	0.0648
		357	0.2550			172/522	0.2972
		361	0.0720			172/520	0.2972
		363	0.1250			172	0.2756
		362	0.1600	7.	Bilkheda	98	0.0540
		368	0.0500			95	0.0020
		411	0.0720			96	0.0100
		412	0.3384			97	0.3100
		410	0.2124			101	0.3200
		409	0.0300			125	0.3240
		408	0.0600			117	0.3240
		406	0.1944			118	0.2232
		405	0.1900			121	0.0020
		414	0.0330			119	0.1296
5.	Kachhavan	109	0.0216			120	0.0324
		101	0.0040			165	0.7200
		105	0.0040			271	0.2340
		106	0.2880			270	0.2340
		125	0.9600			280	0.2340
		122	0.3780			267	0.0900
		141	0.3240			281	0.0400
		142	0.0020			282	0.0140
		154	0.4250			285	0.3600
		152/176	0.0612			284	0.0972
		163	0.0972			294	0.1260
		150	0.3366			295	0.3700
		140	0.0080			324	0.0288
6.	Dilod	62	0.0216	8.	Sagoda	8	0.0432
		65	0.1600			15	0.0648
		116	0.1170			37	0.0360
		116/368	0.0576			66	0.3434
		117	0.3190			67	0.0720
		119	0.3840			68	0.1424
		120	0.6460			72	0.1332
		121	0.4770			74/2	0.0180
		123	0.3190			212/74	0.2360
		125	0.2470			70	0.1280
		140	0.2470			76	0.0432
		137	0.4500			108	0.0576
		163	0.6600			107	0.0288
		164	0.0072			101	0.1540
		165	0.0216			100	0.2360

26/4/2008-17

(1)	(2)	(3)	(4)
8.	Sagoda (Contd.)	77	0.0396
		98	0.0324
		97	0.0108
		96	0.0324
		213/77	0.0576
		78	0.1320
		109	0.0144
		180	0.0720
9.	Kadikhedi	1	0.0594
		18	0.3096
		18/155	0.1224
		18/154	0.1728
		18/127	0.1296
		19	0.0040
		7	0.1872
		8	0.3240
		8/126	

[F. N. R-31015/10/2008 OR-II]

A. GOSWAMI, Under Secy.

नई दिल्ली, 24 जुलाई, 2008

का.आ. 1993.—व्यक्तिक भारत सरकार ने, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 2 के खण्ड (क) के अनुसरण में भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 3962 दिनांक 25-10-2005, जो भारत के राजपत्र में 29-10-2005 को प्रकाशित हुई थी, के द्वारा श्री के. गंगाचलम सहित 5 (पाँच) व्यक्तियों को आन्ध्र प्रदेश राज्य के सभी जिलों में मैसर्स रिलायन्स इन्फ्रास्ट्रक्चर लिमिटेड द्वारा उसकी संबर्धक कंपनी, अर्थात् मैसर्स रिलायंस इंडस्ट्रीज लिमिटेड, के खोज ब्लॉकों में उत्पादित प्राकृतिक गैस के परिवहन के लिए पाइपलाइन बिछाने के लिए उक्त अधिनियम के अधीन सक्षम अधिकारियों के कृत्यों का पालन करने के लिए नियुक्त किया था;

और, क्योंकि मैसर्स रिलायन्स इन्फ्रास्ट्रक्चर लिमिटेड द्वारा देश के विभिन्न हिस्सों में प्राकृतिक गैस के प्रदाय हेतु केन्द्र शासित प्रदेश पुदुचेरी के धनम क्षेत्र में पाइपलाइन (जिसे तत्पश्चात् उपर्युक्त पाइपलाइन कहा गया है) द्वारा केजीडी 6 (केजी-डीडब्ल्यूएन-98/3) में उत्पादित प्राकृतिक गैस का परिवहन आन्ध्र प्रदेश के पूर्वी गोदावरी जिले के तलारेवु मंडल के अन्तर्गत गडीमोगा ग्राम तक किया जाएगा;

और, क्योंकि उपर्युक्त पाइपलाइन की लम्बाई पुदुचेरी के धनम क्षेत्र में मात्र 2.7 कि.मी. है;

और, क्योंकि केन्द्र शासित प्रदेश पुदुचेरी का धनम क्षेत्र सभी दिशाओं में आन्ध्र प्रदेश राज्य से घिरा हुआ है;

और क्योंकि पाइपलाइन की कम लम्बाई व यन्म क्षेत्र की स्थिति के कारण यह उपर्युक्त पाया गया है कि श्री गंगाचलम को, आन्ध्र प्रदेश के सभी जिलों के सक्षम अधिकारी के साथ-साथ उपर्युक्त पाइपलाइन के सक्षम अधिकारी का चार्ज भी दिया जाये;

अतः अब, भारत सरकार, उक्त अधिनियम की धारा 2 के खण्ड (क) के अनुसरण में और भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 3962 दिनांक 25-10-2005 में आंशिक संशोधन करते हुए, संलग्न सारिणी के स्तम्भ (1) में वर्णित श्री के. गंगाचलम को स्तम्भ (2) में वर्णित क्षेत्र के लिए भी सक्षम अधिकारी के कृत्यों का पालन करने के लिये नियुक्त करती है।

सारणी

व्यक्ति का नाम और पता	अधिकारिता का क्षेत्र
(1)	(2)
श्री के. गंगाचलम, डिस्ट्री कलेक्टर, (सेवानिवृत्त) आन्ध्र प्रदेश सरकार,	आन्ध्र प्रदेश के सभी जिले और केन्द्र शासित प्रदेश
द्वारा मैसर्स रिलायन्स इन्फ्रास्ट्रक्चर लिमिटेड, बिलिंडंग नं. 5, धन्सोली, थाने-बेलापुर रोड़, नवी मुम्बई- 400701	पुदुचेरी का धनम क्षेत्र लिमिटेड, रिलायन्स कारपोरेट पार्क,

[फा. सं. एल.-14014/11/2008 जी.पी.]

के. के. शर्मा, अवर सचिव

New Delhi, the 24th July, 2008

S.O. 1993.—Whereas in pursuance of clause (a) of Section 2 of the Petroleum and Minerals Pipeline (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter called the said Act), Government of India, vide Notification in the Ministry of Petroleum and Natural Gas S.O. No. 3962 dated 25th October, 2005, published in Gazette of India on 29-10-2005, appointed 05 (five) persons: including Shri K. Gangachalam, to perform the functions of Competent Authority for all the districts of Andhra Pradesh under the said Act for laying pipelines by M/s. Reliance Gas Transportation Infrastructure Limited (RGTIL) for transportation of natural gas produced in the exploration blocks of its promoter Company M/s. Reliance Industries Limited;

And, whereas, M/s. Reliance Industries Limited plans to lay pipeline (herein after called the said pipeline) in Yanam region of Union Territory of Puducherry for transporting natural gas produced in the exploration block KGD 6 (KG-DWN-98/3) to the onshore terminal near Gadimoga village in Tallarevu Mandal under East Godavari District of Andhra Pradesh for distribution to consumers in various parts of the country;

And, whereas, the length of the said pipeline in Yanam region of Union Territory of Puducherry is only 2.7 kms:

And, whereas, the Yanam region of Union Territory of Puducherry is enclosed by the State of Andhra Pradesh from all directions;

And, whereas, in view of the short length of the said pipeline, and the location of the Yanam region, it would be expedient to give additional charge of Competent Authority for the said pipeline to Shri K. Gangachalam, in addition to his charge of Competent Authority for all the districts of Andhra Pradesh.

Now, therefore, in pursuance of clause (a) of Section 2 of the said Act and in partial modification of the notification in the Ministry of Petroleum and Natural Gas S.O. No. 3962 dated 25th October, 2005, Government of India hereby authorises Shri K. Gangachalam mentioned in column (1) of the Table annexed to perform the functions of the Competent Authority under the said Act for laying pipelines in the area mentioned in column (2) of the Schedule.

TABLE

Name and Address of the person	Area of Jurisdiction
1	2
Shri K. Gangachalam, Deputy Collector(Retd), Government of Andhra Pradesh, C/o M/s Reliance Industries Ltd., Reliance Corporate Park, Bldg. No.5, Ghansoli, Thane-Belapur Road, Navi Mumbai - 400701	All the districts of Andhra Pradesh and Yanam region of Union Territory of Puducherry

[F. No. L-14014/11/08-GP]

K. K. SHARMA, Under Secy.

नई दिल्ली 25 जुलाई, 2008

का. आ. 1994.—केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि मध्यप्रदेश राज्य में बीना संस्थापन से राजस्थान राज्य में कोटा तक पेट्रोलियम उत्पादों के परिवहन के लिए भारत पेट्रोलियम कार्पोरेशन लिमिटेड द्वारा एक पाइपलाइन बिछाई जानी चाहिए;

और केन्द्रीय सरकार को ऐसी पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि ऐसी भूमि में, जो इससे उपावद्ध अनुसूची में वर्णित है, जिसमें उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50), की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है,

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितवद्ध है, उस तारीख से जिसको इस अधिसूचना से युक्त भारत के राजपत्र की प्रतियां साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर भूमि के नीचे पाइपलाइन बिछाए जाने के लिये उसमें उपयोग के अधिकार के अर्जन के सम्बन्ध में श्रीमति भगवंती जेठवानी, सक्षम प्राधिकारी, बीना-कोटा पाइपलाइन परियोजना, भारत पेट्रोलियम कार्पोरेशन लिमिटेड, बी-105 इन्ड्रा बिहार तलवण्डी, कोटा-324005 (राजस्थान) को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

तहसील : गुना	जिला : गुना	राज्य : मध्य प्रदेश	
क्र. सं. ग्राम का नाम	सर्वे नंबर	क्षेत्रफल हैक्टेयर में	
(1)	(2)	(3)	(4)
1. माहर	81	0.1690	
	80	0.1515	
	95	0.1500	
	404	0.1900	
	402	0.0750	
	712	0.1625	
	703	0.5500	
	701	0.2905	
	697	0.0065	
	696	0.0040	
	847	0.2930	
	970	0.2731	
	971	0.0748	
2. कोटीदर	107	0.4150	
	105	0.5485	
	104	0.4571	
	182	0.0780	
	47	0.3380	
	44	0.0585	
	198	0.6200	
	211	0.0390	
3. सरखड़ी	85	0.2870	
4. देरिया	253	0.0520	
	247	0.2000	
	232	0.2270	
5. मावन	277	0.2040	
6. सिंगबासा	129	0.3065	
7. पिपरोदा खुर्द	69	0.7100	
	2	0.2145	
8. सकतपुर	14	0.0546	
9. चकसकतपुर	62	0.0300	
	8	0.2340	
	9	0.1528	
	2	0.0200	

(1)	(2)	(3)	(4)	(1)	(2)	(3)	(4)
10.	गणेशपुरा	118	0.5045	18.	सावरामोदी	147	0.8390
		117	0.5103			126	0.1430
		4	0.1105	19.	पोरूखेड़ी	141	0.7495
11.	महाराजपुरा	43	0.0650			130	0.3510
12.	पुरापुरासर	526	0.2500			100	0.0325
		500	1.2123			131	0.7080
		111	0.7010			132	1.1500
		527	0.0150	20.	सुहाया	307	0.1495
		539	0.1100			294	0.1820
		178	0.2665			269	0.2130
		114	0.0325			258	0.2800
		115	0.0260			298	0.0065
13.	विनरुद्धाई	121	0.6250			308	0.0845
		83	0.1500	21.	बृजाबमोरी	15	0.0390
		115	0.5600	22.	पंथरिया	65	0.1320
14.	विशेषनिया	17	0.4225	23.	भूराखेड़ी	69	0.1755
		19	0.1040			182	0.3120
		21	0.5690			179	0.3770
		33	0.1560			97	0.2535
		38	0.4325			120	0.1465
		39	0.0125			72	0.0060
		105	0.3793			108	0.3835
		103	0.1560			130	0.1040
		65	0.0245	24.	चुरेला	118	0.0750
		36	0.1000			123	0.1040
15.	क्रिशकगढ़	132	0.2350			80	0.1200
		65	0.4100			95	0.0550
		91	0.3055			122	0.0325
		3	0.1300	25.	सेमराखेड़ी	21	0.0715
16.	रिहाना	90	2.0300			62	0.4000
		91	0.3600			60	0.1320
		63	0.7175			63	0.0260
		24	0.1910			77	0.0390
		11	0.2860	26.	रामनगर	76	0.2600
		10	0.2705			123	0.1495
		19	0.0845			124	0.1430
17.	धनोरिया	45	0.4375			103	0.4900
		47	0.7720			79	0.3150
		28	0.2600			84	0.3200
		37	0.0350			125	0.0325
		34	0.2200			127	0.1430
		25	0.0800			135	0.0650
		27	0.3200			120	0.0845
		12	0.1040			44	0.2145
		8	0.0715			77	0.0650
						82	0.0050

(1)	(2)	(3)	(4)
27.	टकोदिया	43	0.3580
		69	0.7200
		45	0.0910
28.	किशनपुरा	175	0.5330
29.	भूमराखेड़ी	76	0.0475
30.	चकपारसीखेड़ी	14	0.5470
31.	अजरोड़ा	182	0.6025
		183	0.4225
32.	बनियानी	174	0.0020
33.	पाखर	58	0.8140
		27	0.8890
		59	0.1680
		60	0.0500
34.	आनापुरा	34	0.3255
		35	0.9165
35.	बींदाराड़ा	19	0.0020
		18	0.5075
		11	0.0325
36.	सेमरा	71	0.2620
37.	पाठी	23	0.2520
		16	0.3600
38.	हमीरपुर	11	0.0390

[फा. सं. आर.-31015/11/2008 ओ आर-II]

ए. गोस्वामी, अवर सचिव

New Delhi, the 25th July, 2008

S.O. 1994.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transportation of petroleum products Pipeline from Bina terminal in the State of Madhya Pradesh to Kota in the State of Rajasthan should be laid by Bharat Petroleum Corporation Limited;

And whereas it appears to the Central Government that for the purpose of laying such pipeline it is necessary to acquire the right of user in land under which the said pipeline is proposed to be laid and which is described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person, interested in the land described in the said Schedule may within twenty one days from the date on which copies of the Gazette of India containing this notification are made available to the public, object in writing to the acquisition of the right of user therein for

laying of the pipeline under the land to Smt. Bhagwanti Jethwani, Competent Authority, Bina-Kota Pipeline Project, Bharat Petroleum Corporation Limited, B-105 Indra Vihar Talwandi, Kota - 324005 (Rajasthan).

SCHEDULE

Tehsil: Guna	District : Guna	State : Madhya Pradesh	
S. No.	Name of Village	Survey No.	Area in Hectare
I	2	3	4
1.	Mahar	81	0.1690
		80	0.1515
		95	0.1500
		404	0.1900
		402	0.0750
		712	0.1625
		703	0.5500
		701	0.2905
		697	0.0065
		696	0.0040
		847	0.2930
		970	0.2731
		971	0.0748
2.	Keendar	107	0.4150
		105	0.5485
		104	0.4571
		182	0.0780
		47	0.3380
		44	0.0585
		198	0.6200
		211	0.0390
3.	Sarkhadi	85	0.2870
4.	Toriya	253	0.0520
		247	0.2000
		232	0.2270
5.	Mavan	277	0.2040
6.	Singbasa	129	0.3065
7.	Piproda Khurd	69	0.7100
		2	0.2145
8.	Sakatpur	14	0.0540
9.	Chaksakatpur	62	0.0300
		8	0.2340
		9	0.1528
		2	0.0200
10.	Ganeshpura	118	0.5045
		117	0.5103
		4	0.1105
11.	Maharajpura	43	0.0650
12.	Puraposar	526	0.2500
		500	1.2123
		111	0.7010

(1)	(2)	(3)	(4)	(1)	(2)	(3)	(4)
12.	Purapasar	527	0.0150	23.	Bhoorakhedi	179	0.3770
		539	0.1100			97	0.2535
		178	0.2665			120	0.1465
		114	0.0325			72	0.0060
		115	0.0260			108	0.3835
13.	Vinkhyai	121	0.6250			130	0.1040
		83	0.1500	24.	Churela	118	0.0750
		115	0.5600			123	0.1040
14.	Vishonia	17	0.4225			80	0.1200
		19	0.1040			95	0.0550
		21	0.5690			122	0.0325
		33	0.1560			21	0.0715
		38	0.4325	25.	Semrakheda	62	0.4000
		39	0.0125			60	0.1320
		105	0.3793			63	0.0260
		103	0.1560			77	0.0390
		65	0.0245			76	0.2600
		36	0.1000	26.	Ramnagar	123	0.1495
15.	Kishangarh	132	0.2350			124	0.1430
		65	0.4100			103	0.4900
		91	0.3055			79	0.3150
		3	0.1300			84	0.3200
16.	RIHANA	90	2.0300			125	0.0325
		91	0.3600			127	0.1430
		63	0.7175			135	0.0650
		24	0.1910			120	0.0845
		11	0.2860			44	0.2145
		10	0.2705			77	0.0650
		19	0.0845			82	0.0050
17.	Dhanoriya	45	0.4375	27.	Takodiya	43	0.3580
		47	0.7720			69	0.7200
		28	0.2600			45	0.0910
		37	0.0350	28.	Kishanpura	175	0.5330
		34	0.2200	29.	Bhumrakhedi	76	0.0475
		25	0.0800	30.	Chakparsikheda	14	0.5470
		27	0.3200	31.	Ajroda	182	0.6025
		12	0.1040			183	0.4225
		8	0.0715	32.	Baniyani	174	0.0020
18.	Sawramodi	147	0.8390	33.	Pakhar	58	0.8140
		126	0.1430			27	0.8890
19.	Porukhedi	141	0.7495			59	0.1680
		130	0.3510			60	0.0500
		100	0.0325	34.	Aanapura	34	0.3255
		131	0.7080			35	0.9165
		132	1.1500	35.	Vindarada	19	0.0020
20.	Suhaya	307	0.1495			18	0.5075
		294	0.1820			11	0.0325
		269	0.2130	36.	Semra	71	0.2620
		258	0.2800	37.	Pathi	23	0.2520
		298	0.0065			16	0.3600
		308	0.0845	38.	Hamirpur	11	0.0390
21.	Brijabarnori	15	0.0390				
22.	Pathariya	65	0.1320				
		69	0.1755				
23.	Bhoorakhedi	182	0.3120				

[F. No. R-31015/II/2008 OR-II]

A. GOSWAMI, Under Secy.

श्रम एवं रोजगार मंत्रालय

नई दिल्ली, 27 जून, 2008

का.आ. 1995.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार यूनियन बैंक ऑफ इंडिया के प्रबंधतंत्र के सबद्वं नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय चैनर्स के पंचाट (संदर्भ संख्या 5/2008) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-6-2008 को प्राप्त हुआ था।

[फा. सं. एल-12012/81/2007-आईआर(बी-II)]

राजिन्द्र कुमार, डेस्क अधिकारी

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 27th June, 2008

S.O. 1995.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award Ref. (No. 5/2008) of the Central Government Industrial Tribunal-cum Labour Court, Chennai as shown in the Annexure, in the industrial dispute between the management of The Dy. General Manager, and their workmen, received by the Central Government on 27-06-2008.

[F. No. L-12012/81/2007-IR(B-II)]

RAJINDER KUMAR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT CHENNAI

Tuesday, the 25th March, 2008

Present : K. JAYARAMAN,
Presiding Officer

INDUSTRIAL DISPUTE No. 5/2008

(In the matter of the dispute for adjudication under clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), between the Management of Union Bank of India and their Workman)

BETWEEN

Sri G. Selvaraj I Party/Petitioner

Vs.

The Dy. General Manager : II Party/Management
Union Bank of India,
Nodal Regional Office,
139, Broadway, Chennai

APPEARANCE:

For the Petitioner	:	None
For the Management	:	M/s T.S. Gopalan & Co., Advocates

AWARD

The Central Government, Ministry of Labour vide its Order No. L-12012/81/2007(IR-B-II) dated 18-01-2008 referred the following Industrial Dispute to this Tribunal for adjudication.

The schedule mentioned in that order is :

"Whether the action of the Management of Union Bank of India in terminating the services of Sri G. Selvaraj, Personal Car Driver w.e.f. 18.12.2005 is legal and justified? If not, to what relief is the concerned workman entitled?"

2. After the receipt of the Industrial Dispute, this Tribunal has numbered it as ID 5/2008 and issued notices to both sides. Even though the Respondent entered appearance through their Advocate, subsequently the petitioner has not appeared before this Tribunal even after two notices and he has refused the notice sent by this Tribunal. Subsequently, he was called absent and set ex parte after the service has been declared as sufficient.

3. In the affidavit filed by the Chief Manager of the Respondent Bank, it is stated that the Respondent Bank is a nationalized bank and no one can enter the services of the Bank otherwise than in accordance with the laid down procedure and the Respondent Bank fills up a vacancy in the lower grade employees only from the candidates sponsored by the Employment Exchange. The managerial cadre are entitled to the perquisite of engaging the personal driver for driving the vehicle and get the salary paid to the driver reimbursed by the Bank and invariably when any Manager who is entitled to this perquisite, engages a personal driver and when he is shifted out of the place, the next incumbent preferred to retain personal driver of the previous person as his driver. This would not create a relationship as of master and servant between the Bank and personal driver so engaged by the Managerial personnel. It would appear that the petitioner was engaged as personal driver by M/s V.J. Chandrasekhan, C.L. Thomas, N. Venkatraman and one Chandrasekhar. On enquiry, it reveals that the Manager viz. P. L. Alagappan who was living in Vadapalani which is 10 kms. away from petitioner's residence and for this reason Mr. Alagappan stopped engaging the petitioner and started engaging some other person near to his residence. The petitioner was not in the employment of the Bank, he was admittedly the personal driver of the Chief Manager. The documents would not in any manner create a relationship of master and servant between the bank and petitioner. Therefore, there is no question of termination of employment by the Bank. Hence, the Respondent Bank prays that the claim may be dismissed with cost.

Point for determination is :

"To what relief the petitioner is entitled?"

4. As I have already pointed out the petitioner has not appeared before this Tribunal to substantiate his claim that he is entitled for reinstatement and consequent relief and since the petitioner has not established that he is entitled for reinstatement, he is not entitled to any relief in this ID. Further, no documents or satisfactory evidence have been produced by the petitioner that he is entitled to get the relief as such I find the petitioner is not entitled to any relief.

6. Thus, the reference is answered accordingly.

(Dictated to the PA, transcribed and typed by him, corrected and pronounced by me in the open court on this day the 25th March, 2008.

K. JAYARAMAN, Presiding Officer

Witnesses Examined :—

For the I Party/Petitioner : None
For the II Party/Management : None

Documents Marked :—

From the Petitioner's side

Ex. No.	Date	Description
		<u>Nil</u>

From the Management side:

Ex. No.	Date	Description
		<u>Nil</u>

नई दिल्ली, 27 जून, 2008

का.आ. 1996.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पंजाब नेशनल बैंक के प्रबंधनात्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. 1 चण्डीगढ़ के पंचाट (संदर्भ संख्या 193/1998) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-6-2008 को प्राप्त हुआ था।

[फा. सं. एल-12012/3/1998-आईआर(बी-II)]

राजिन्द्र कुमार, डेस्क अधिकारी

New Delhi, the 27th June, 2008

S.O. 1996.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the award (Ref. No. 193/1998) of the Central Government Industrial Tribunal-Cum-Labour Court No. 1 Chandigarh as shown in the Annexure

in the Industrial Dispute between the management of Punjab National Bank and their workmen, received by the Central Government on 2-6-2008.

[F. No. L-12012/3/1998-IR(B-II)]

RAJINDER KUMAR, Desk Officer

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1,
CHANDIGARH CASE NO I. D. NO. 193/98**

Shri Harichand Gautam, S/o Shri Jai Bhagwan, House No. 375/12, Dhobi Mohalla, Thanesar, Kurukshetra.

Applicant

Versus

Punjab National Bank, The Regional Manager, Regional Office, Kurukshetra.

Respondent

APPEARANCES :

For the workman	:	Shri Sandeep Bhardwaj
For the management	:	Shri Mam Chand

AWARD

Passed on 17-6-08

Government of India *vide* notification No.L-12012/3/98/IR (B-II) dated 8/9-10-1998 referred this industrial dispute on account of failure of conciliation proceedings before the Conciliation Officer. The industrial dispute which was referred for judicial adjudication is as follows.

"Whether the action of the management of Punjab National Bank in dismissing Shri Harichand Gautam, S/o Shri Jai Bhagwan, Cash Peon *vide* order 19-1-93 is just and legal? If not, what relief is the workman entitled to?"

Opportunity was given to the workman to file the claim petition. Workman in his claim petition dated 8-6-99 stated that he was appointed on the regular basis with the respondent-management w.e.f. 11-8-76 as Peon. He was dismissed from the service by the respondent management on 19-1-93 without giving any termination order, without notice and without any inquiry. His dismissal from the service is against the law and illegal. A false FIR No.23 dated 23-12-91 in PS City Thanesar was registered against him and consequently, a case No. 328-1/2 of 92 was registered under Section 34 of the Police Act in the Court of Judicial Magistrate in which he was acquitted on 8-4-96. Earlier, a false case was also registered at the instance of Manager of the Bank against the workman which was registered as case No. 84/2 of 1992 which was decided on 28-11-92 in which warning was given to the workman by the Court due to pressure on the claimant by the bank to confess the guilt, with a view to remove the suspension of

claimant and to join the claimant on duty. The dismissal of the workman is against the provisions of the Industrial Disputes Act. He has completed the service of 20 years in the bank and was dismissed for no fault. On the above averments, the workman prayed for setting aside the dismissal order dated 19-1-93 and for an order of reinstatement of the petitioner with consequential benefits.

The claim petition was opposed by the management by filing written statement. Apart from the categorical parawise refusal of the facts which find place in the claim petition of the workman, Management also narrated that Shri Gautam, the workman had misbehaved with Branch Manager of Branch Office Thanesar (Kurukshetra) on 15-7-91 and 16-7-91 after consuming liquor. Shri Gautam was accordingly placed under suspension on 22-7-1991 and an FIR in respect of the incident was also registered by the Police on 16-7-91. Subsequently, on 23-12-91, while Shri Gautam was under suspension, he entered the bank under the intoxication of liquor and again committed acts of insubordination for which he was served with the charge sheet dated 30-12-91, by the competent authority. Shri Gautam was required to submit reply to the charge sheet within 7 days. He, however, did not submit any reply to the charge sheet and accordingly, the disciplinary authority decided to hold departmental enquiry into the charge sheet dated 30-12-91 vide order dated 10-2-92. The inquiry was conducted in accordance with the provisions of the Bipartite Settlement which govern the service of the workman staff in the banking industry. Inquiry Officer, after affording the full opportunity of being heard to both of the parties, submitted his report dated 2-12-92 to the disciplinary authority holding the allegations made in the charge sheet dated 30-12-91 as proved. The disciplinary authority, vide show cause notice dated 4-1-93 as proposed punishment of dismissal upon Shri Gautam and fixed 18-1-93 for personal hearing. Shri Gautam appeared in the personal hearing before the disciplinary authority on 18-1-93 and again admitted his guilt and requested for lenient view in the matter. The disciplinary authority after considering the entire materials on record and the submissions made during the course of personal hearing passed an order of dismissal on 19-01-93. Shri Gautam preferred an appeal and the appellate authority rejected the appeal on 30-10-93.

Affidavits of both of the parties are on record. Entire proceedings of enquiry including the inquiry report, dismissal order and the order of appellate authority is also on record. I have heard learned counsel for the parties and perused the entire material on record. During the course of argument, the workman Shri Gautam, who was present in the court, stated that his physical and mental condition will not permit him to join the job, hence, his job be provided to his son. Learned counsel for the workman stated that considering the physical and mental condition of the workman, sympathetic view may be taken and at least some compensation be provided to the workman for his proper survival. Learned counsel for the workman also argued that no notice before conducting the enquiry was given to

the workman and it is the case of no evidence. The inquiry report and the punishment given, being against the principle of natural justice are void and illegal and cannot stand.

Learned counsel for the management has argued that considering the nature of misconduct of the workman, he is rightly dismissed from the service. On perusing the materials on record, I am of the view that the main question for determination is; whether a proper enquiry was conducted against the workman? The role of Industrial Tribunal and the Labour Courts is limited. The Tribunal and the Labour Court has the jurisdiction to look whether the enquiry was conducted in a fair, reasonable and proper manner and there was no violation of the principle of natural justice? If proper hearing without violating the principle of natural justice is given to the workman by an Enquiry Officer duly appointed and a fair and reasonable procedure in conducting the enquiry has been followed, the Tribunal has nothing to say on the enquiry report. In this case, it is to be seen by the Tribunal, whether a reasonable, fair, equitable and proper procedure was adopted by the Enquiry Officer and a reasonable opportunity of being heard was given to the workman?

I have gone through the enquiry report and materials on record. Admittedly, on 28-11-92, a Criminal Court of competent jurisdiction has convicted the workman under Section 34 of Police Act. The workman is convicted for his illegal act of causing nuisance under the intoxication of wine on the basis of confessional statement of the workman. There is verdict of conviction which proved the misconduct of the workman at his working place. The enquiry which was held by the Enquiry Officer was not related to the incident in which he was convicted but it was for the act of misconduct committed by him on 23-12-91 at about 1.00 p.m. for misbehaving and abusing by using the filthy language to the Manager of Punjab National Bank under intoxication of wine. He was chargesheeted. Copy of the chargesheet was provided to him. As per proceedings of enquiry, the workman demanded the Hindi version of the chargesheet and the same was provided by the Enquiry Officer. He was given full opportunity for cross-examining the witness of the management and opportunity to defend himself. On perusal of the enquiry report and other materials on record including the proceedings of enquiry, it is clear that the representative of the workman cross-examined all the witnesses of the management. After enquiry report, again a notice was given to the workman with proposed punishment and along with the notice copies of enquiry report and other relevant documents was also supplied. The workman replied the notice and after affording opportunity of oral hearing the appropriate authority found him guilty and passed an order of dismissal of the workman from the service. The workman preferred an appeal which was dismissed later on.

The enquiry was conducted as per the provisions of Bipartite Settlement Enquiry Officer was appointed as per the provisions of law and in the opinion of the Tribunal,

Enquiry Officer adopted a fair and reasonable procedure while conducting the enquiry. Full opportunity of being heard was given and accordingly, there was no violation of principle of natural justice as well. Thus, apart from the proof of misbehaviour with the Manager of the bank by a Class IV Employee (the workman), it is also proved that workman was convicted by the competent Criminal Court twice for creating nuisance under intoxication. On 06-09-95, the Criminal Court convicted the workman and awarded the punishment of warning, and again on 28-11-92, the workman was also convicted by Court of competent jurisdiction on his confessional statement and was also awarded the punishment for warning. The misconduct of the workman is also proved in the enquiry conducted by the Enquiry Officer for the incident of 23-12-91, when Shri Gautam was under suspension for his act of misbehaviour committed on 15-07-91 and 16-07-91. Thus, on the basis of above, I am of the view that a fair, proper and reasonable enquiry was conducted by the Enquiry Officer and there was no violation of principle of natural justice and no interference in the enquiry report and the findings is called for.

Now the Tribunal has to see whether the punishment awarded to the workman is in-proportionate to the misconduct committed by him. Discipline in any organization is its backbone. If a Class IV employee, in the presence of other Class III and senior employees and the public present in the bank abuses in filthy language to the Manager, the prestige of the Organization (bank) is bound to reduce in the eyes of public. Using the abusing language under the intoxication of wine to the Manager of the bank will be considered that the workman was abusing to the organization and this is the act which should be considered as the misconduct of highest degree.

Moreover, the trust and confidence of an employee in the eyes of organization is gone. If any workman or employee loses the trust and confidence of the organization, the workman or employee is a big zero. Thus, to maintain the dignity, discipline and work culture of this organization the punishment of dismissal for the misconduct committed by the workman seems to be the proportionate punishment.

Learned counsel for the workman, workman himself and his son during the course of argument have requested for having lenient attitude considering the physical and mental condition of the workman. If the workman is mentally disturbed, the management is not responsible for that and this Tribunal shall not go for the causes of his mental disturbance with this exception that he may be himself responsible for his condition. The Tribunal should not be obliged for having sympathetic view just on the mental and physical condition of the workman but has to confine itself for the misconduct committed by the workman for the incident he was charged. The workman himself suggested that his job be provided to his son as his job is of the hereditary character.

Thus, considering all the facts and circumstances of the case on both conduction of enquiry and the punishment awarded, I am of the view that a fair, reasonable and proper opportunity was afforded to the workman and the punishment given to the workman is in-proportionate to the committed misconduct. Accordingly, this reference is answered in positive that the action of the management of Punjab National Bank in dismissing Shri Harichand Gautam S/o Shri Jai Bhagwan, Cash Peon vide order dated 19-01-93 is just and legal. Central Government be informed accordingly. File be consigned.

G. K. SHARMA, Presiding Officer

नई दिल्ली, 27 जून, 2008

का.आ. 1997.—ऑद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सिण्डीकेट वैकं के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट ऑद्योगिक विवाद में केन्द्रीय सरकार ऑद्योगिक अधिकरण/श्रम न्यायालय, चैन्सई के पंचाट (संदर्भ संख्या 43/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-6-2008 को प्राप्त हुआ था।

[फा. सं. एल-12012/203/2004-आईआर(बी-II)]

राजिन्द्र कुमार, डेस्क अधिकारी

New Delhi, the 27th June, 2008

S.O. 1997.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 43/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Chennai as shown in the Annexure, in the industrial dispute between the management of Syndicate Bank, and their workman, received by the Central Government on 27-6-2008.

[F. No. L-12012/203/2004-IR(B-II)]

RAJINDER KUMAR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHENNAI

Tuesday, the 1st May, 2008

Present : K. JAYARAMAN,
Presiding Officer

INDUSTRIAL DISPUTE No. 43/2005

[In the matter of the dispute for adjudication under clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947(14 of 1947), between the Management of Syndicate Bank and their Workman]

BETWEEN

Sri G. Sundar : I Party/Petitioner

Vs.

The Asstt. General Manager,
 Syndicate Bank
 Regional Office
 No. 69, Armenian Street
 Chennai-600001

II Party/Management

APPEARANCE:

For the Petitioner : Sri J. Narayana Murthy

For the Management : M/s T.S. Gopalan & Co.

AWARD

The Central Government, Ministry of Labour vide its Order No. L -12012/203/2004-IR(B-II) dated 21-04-2005 referred the following Industrial Dispute to this Tribunal for adjudication.

The schedule mentioned in that order is:

“Whether the action of the Management of Syndicate Bank in imposing the petitioner of dismissal from service of Sri G. Sundar, Clerk is legal and justified? If not, to what relief is the workman entitled to?”

2. After the receipt of the Industrial Dispute, this Tribunal has numbered it as ID 43/2005 and issued notices to both sides. Both sides entered appearance through their advocates and filed their Claim and Counter Statement respectively.

3. The allegations in the Claim Statement are briefly as follows:

The petitioner had joined in the services of the Respondent Bank viz. Syndicate Bank as early as 07-04-1983 as Attender and he, was promoted to the post of Clerk subsequently. The only duty of the petitioner in the Respondent Bank is to verify the account of the drawer and in the instant case Shrine Velankanni Account. The further work of sanctioning the withdrawal, verifying the signature, keeping the concerned cheque in safe custody are all attached with the custodian viz. the Manager and the Joint Custodian viz. another Manager. In the above said process, the petitioner is in no way connected with the said items of work. While so, a charge of misappropriation has been framed against the petitioner and the Respondent Bank after enquiry has imposed the punishment of dismissal from service which is illegal and unjustified and arbitrary. The findings of the Enquiry Officer would clearly disclose that it was Sri V. Marimuthu, the Manager of the Bank who had colluded and encashed the cheques in issue and the petitioner is not in any way been responsible for either encashment or for the loss of the cheques in issue. The allegation that the petitioner was

running a stationary mart which is totally alien to the concerned misappropriation and the same is also not true. The issuance of the cheque book and custody of cheque leaves are under the exclusive control of the Manager and the Joint Custodian, therefore, the impugned termination order is *prima facie* illegal and there is an error apparent on the face of the record. The second charge memo can never be construed as second show-cause notice but only as a fresh charge memo, under such circumstances, the impugned termination order is *prima facie* illegal. The impugned show-cause notice for the first time is created as if the petitioner was alone responsible for the issuance of the cheque book and for the loss of two cheque leaves. It is established even in the enquiry that the petitioner is not responsible for the misappropriation of the funds and misuse of cheques, while so, the findings given by the Enquiry Officer is without any legal evidence and perverse. The petitioner had been falsely implicated, victimized and the innocent petitioner was imposed the punishment as a scapegoat. The alleged cheque leaves were admittedly issued by Sri V. Marimuthu, Custodian of Nagapattinam branch of the Respondent Bank and delivered by Sri T. Kumaran, the Temporary Part-Time Sweeper to Sri R. Vincent, Accountant of Shrine Basilica stands contributed for the chances of pilferage of the cheque leaves which resulted in the commission of fraud or misconduct and the petitioner is in no way responsible for these actions. Thus, in the issue of cheque books, it is sheer negligence on the part of dealing Officers who handled the alleged specific transactions in violation of the procedure and guidelines of the bank. It is false to allege that the petitioner has recommended for the opening of account by Sri Vinayakamurthy. The petitioner is in no way connected with it and he joined in the said branch during December, 2001 while Sri Vinayakamurthy opened a SB A/c during 1996. For the loss of cheques also, it is only the two Managers viz. Sri Marimuthu and Sri Krishnamurthy are jointly and severally liable. In the deposition of enquiry, the principles of natural justice and equity were not followed. Equal opportunity was not given to the petitioner in the examination of the defense witnesses with regard to the other allegation that the petitioner had Rs. 18,000/- in his SB A/c for which the petitioner has given an explanation which is an acceptable one. The findings of the Enquiry Officer with regard to this is perverse and without any substance. The allegation that the petitioner is pursuing trade and business outside the scope of employment without the bank's permission has not been established in the enquiry. Mere an credit entry of Rs. 18,000/- in his account cannot give scope for presuming or assuming that the petitioner is indulging in trade. Hence, for all these reasons, the petitioner prays this Tribunal to set aside the order of dismissal and direct the Respondent to reinstate the petitioner him in service with continuity of service, backwages and all other attendant benefits.

4. As against this, the Respondent in his Counter Statement alleged that the Respondent which is a nationalized bank having a branch at Velipalayam branch, Nagapattinam. The Shrine Basilica Velankanni Church is maintaining SB A/c with Velipalayam branch of the Respondent Bank. On 21-09-2001, the Church authorities enquired the bank regarding the payment of two cheques bearing Nos. 578695 and 578671 for Rs. 1.23 lakhs and Rs. 2.46 lakhs respectively as they did not have the particulars in their records. The bank authorities on verification found that the above two cheques paid to Indian Bank, Nagapattinam for clearing on 20-08-2001 and 30-08-2001 respectively and informed the Church authorities the payee's name and other details. When the Church authorities insisted for the production of the cheques, the branch did not find the cheques with them and the two cheques were missing from the stitched bundle. On enquiry in the Indian Bank, Nagapattinam, it transpired that the two cheques were issued in the name of Sri A. Vinayakamurthy and on preliminary investigation it came to light that the two cheques which are paid by the bank were missing and the payee Sri A. Vinayakamurthy has encashed the cheque from Indian Bank, Nagoor and the said person had received the two cheques from Sri Marimuthu, the Manager of the bank and it also revealed that after encashing the cheque, Sri Vinayakamurthy paid the amount retaining 3% as commission to Sri Marimuthu and the petitioner was aware of the two cheques in question were given for collection by Sri Vinayakamurthy through Indian Bank, Nagoor and it also came to light that the slip bundle of 20-08-2001 and 30-08-2001 had been taken by the petitioner. Thus, the fraud could not have perpetuated on the bank without the knowledge or involvement of the bank staff and that having regard to the relationship of the petitioner with Vinayakamurthy, his involvement in the fraud could not be ruled out. Further, it came to light during the investigation that Sri Vinayakamurthy was maintaining Current Account as well as SB Account in Velipalayam branch, Nagapattinam. It also came to light that the issue of cheque book to Velankanni Basilica was not entered in the Cheque Issue Register. The circumstances that on 20-08-2001 and 30-08-2001 when the petitioner had gone to clearing house, that the debit entries covering the two cheques were made in the ledger and day book by the petitioner, that the two cheques were missing from the bundle, that the petitioner was running a Stationery Mart called Suganya Stationery Mart at Arya Pillai Koil Street, all cumulatively proved the involvement of the petitioner in the transaction. Therefore, his involvement in the fraud could not be ruled out. It is also found that the petitioner on 20-03-2001 has deposited a sum of Rs. 18,000/- to his SB A/c No. 189 whereas his net take home salary for the said month was only Rs. 4,174/-. It is also found that he was possessing a cell phone and issued cheques for amount aggregating to Rs. 5398.51 favouring the provider which were debited to his SB A/c No. 189 on 15-03-2001,

09-04-2001, 10-07-2001 and 07-08-2001. Thus, it is established that he was doing the stationery business in the name of his Son in the shop let out by cousin brother of Sri A. Vinayakamurthy. Further, it is found that the petitioner has also violated the circular that one cannot issue cheque for an amount beyond the credit balance. Therefore, a charge sheet was issued and after due enquiry it was found that the charges against him are proved and after following the procedure, the Respondent Bank imposed the punishment of dismissal from service, therefore, the imposition of punishment could not be interfered with for all or any of the reasons urged by him. The nature of duties has no relevance in this case, no doubt, the principal culprit was Sri Marimuthu, the Manager of the Bank but the petitioner has also facilitated withdrawal of the amount by Sri A. Vinayakamurthy, therefore, the findings of the Enquiry Officer is fully justified. Even in getting an acknowledgement for the delivery of the cheque book which the petitioner had not done so clearly established the failure on the part of the petitioner in the performance of his duties. Hence, for all these reasons the Respondent prays that the claim may be dismissed with costs.

Point No.1

5. In this case, the first charge against the petitioner is that while working as a Clerk in Nagapattinam branch of the Respondent Bank, he has received and debited two SB A/c No. EC-1 of Shrine Vellankanni Basilica, two forged cheques for amounts aggregating to Rs. 3.69 lakhs fraudulently drawn in favour of his associate, Sri A. Vinayakamurthy and the second charge framed against the petitioner is that there are credits in his SB A/c No. 189 other than salary related income and that he and his son were engaged in trade or business and further without maintaining sufficient balance in the abovesaid account, he has issued cheque dated 18-06-2001 for Rs. 1000/- in favour of Airtel Ltd. The petitioner disputed the allegation against him and he also alleged the findings of the Enquiry Officer is perverse and based without any legal evidence. On the other hand, the Respondent Bank contended that the findings of the Enquiry officer and the imposition of punishment are justified. In this case, the petitioner examined himself as Ex. WW1 and on the side of the petitioner 20 documents viz. Ex. W1 to Ex. W20 were marked. On the side of the Respondent, no witness was examined but Respondent marked 13 documents viz. Ex. M1 to Ex. M13. The learned counsel for the Respondent contended in this case the admitted facts are that two unauthorized forged cheques of Shrine Velankanni Basilica favouring one Sri A. Vinayakamurthy, one for Rs. 1,23,000/- and another for Rs. 2,46,000/- was received by the Nagapattinam branch on 28-2-2001 and 30-08-2001 and encashed through Indian Bank, Nagapattinam. Secondly, the two disputed cheques viz. Nos. 578695 and 578671 were from the cheque books No. 578601 and 578700 issued on 19-07-2001 by the

Respondent Bank to Shrine Velankanni Basilica. It is also not disputed fact that on 19-07-2001 when the cheque book was issued to the Shrine Velankanni, the petitioner was given the work of SB A/c and he has not made any entry about the issue of cheque book in the Cheque Issue Register. It is also admitted fact that on 20-08-2001 and 30-08-2001 viz. the date of encashment, the petitioner went for clearing and he brought the two disputed cheques. Further on these dates viz. 20-08-2001 and 30-08-2001, it is he who entered and debited the personal ledger of Shrine Velankanni Basilica by entering his ID number. It is also found that the two cheques were missing from the Respondent Bank branch at Nagapattinam. The learned counsel for the Respondent contended, the payee Sri A. Vinayakamurthy was not a stranger to the petitioner and on the other hand he was very well known to the petitioner. It is also a fact that petitioner helped Sri A. Vinayakamurthy in filling up the cash credit vouchers whenever he visits the bank. Though, this circumstance will not independently show the criminal action of the petitioner, the cumulative effect of all the circumstances will clearly establish, the petitioner's involvement in the fraud could not be ruled out. Therefore, the findings of the Enquiry Officer that the charges framed against him have been proved is a justifiable one and cannot be questioned before this forum.

6. As against this, the learned counsel for the Petitioner contended the allegation of the Respondent against the petitioner is that the petitioner in collusion with Sri V. Marimuthu viz. the Manager of the Respondent Bank and with Sri A. Vinayakamurthy caused encashment of the two cheques amounting to Rs. 3.69 lakhs. Though, the charge clearly says that there is a collusion between Sri Vinayakamurthy and the petitioner, this collusion has not been established with any satisfactory evidence before the domestic tribunal. Furthermore, there is no substantial evidence to establish the fact of collusion between the Manager and the petitioner. Nowhere it is proved that the petitioner had taken out the cheque book from the stock nor he handed over the same to Sri A. Vinayakamurthy. It was also not established that the petitioner was responsible for the loss of two cheque leaves or for the forged signature found in the cheque. On the other hand it is only Sri V. Marimuthu, the Officer-In-Charge of the SB Section on that day was himself performing the work of issuing the cheque book without asking the petitioner to do the job. Though, it is alleged that the petitioner had failed to follow the procedures laid down by the Bank, it is the Sr. Officer who has taken the task of issuing the cheque to the Shrine Velankanni Basilica and furthermore he has handed over the same to the Temporary Attender, one Kumaran and he has also directed one of the Officers to accompany him to deliver the same to Shrine Velankanni Basilica. Under such circumstance, it is not known how the Respondent Bank has accused the petitioner that he was responsible for not entering the SB Cheque Issue Register/ALPM and also

not received the acknowledgement from the account holder. When the Sr. Manager himself had done all the work and did not adhere the formalities, it is surprising how the petitioner could be found fault for this act. He further argued that merely because Sri A. Vinayakamurthy was known to the petitioner, it did not mean that the petitioner was responsible for the encashment of the two cheques. Though, it is alleged that Sri Vinayakamurthy has also colluded that after deducting the commission of 3% handed over the money collected by the two cheques to the petitioner and Sri Vinayakamurthy, no satisfactory evidence was adduced about this allegation, though in the enquiry, the Enquiry Officer has admitted the statement given by Sri Vinayakamurthy before the Investigating Officer, the said Vinayakamurthy was not examined before the Enquiry Officer nor he was cross-examined by the petitioner. Though, at one time it was stated that the petitioner is responsible for opening of account in the name of Vinayakamurthy in the Respondent Bank, for this also there is no evidence to substantiate this contention. While the statement recorded by the Investigating Officer was done behind the back of the petitioner, the same was marked as exhibits without following the principles of natural justice. If really the said Vinayakamurthy was examined in the enquiry, then everything would have come to light and it could be established whether the petitioner was guilty of the offences alleged to have made by him. Further he argued it is established that the Manager Marimuthu have given the cheque book to one Kumaran, a Temporary Attender to hand over the cheque book to the Shrine Velankanni Basilica and he alongwith Sri Krishnamurthy, another Officer had gone to the Church to deliver the cheque book but for reasons best known to the Respondent Authority the said Kumaran or Krishnamurthy were not examined in the Enquiry. It is also not known whether the said Officer accompanying the said Kumaran has verified the cheque books and whether the person receiving in the Church have verified the cheque book. Under such circumstances, it cannot be said that the petitioner has facilitated the fraud to be committed by the culprits. The learned counsel for the Petitioner further relied on the ruling reported in 1969, 2, LLP, 377, CENTRAL BANK OF INDIA VS. PRAKASH CHAND JAIN where the Supreme Court when dealing with the scope of jurisdiction of the Industrial Tribunal to interfere with the findings of the Enquiry Officer at the domestic enquiry held "the principle that a fact sought to be proved must be supported by statements made in the presence of the person against whom enquiry is held and the statements made behind the person charged are not to be treated as substantive evidence is one of the basic principles of natural justice which cannot be ignored on the mere ground that the domestic tribunals are not bound by technical rules of procedure contained in the Evidence Act etc. etc. In other words the findings recorded by the Enquiry Officer must be supported by legal evidence. The evidence should consist of statements made in the presence of the workman charged and exception is

envisioned where the previous statements could be used after giving copies of the statements well in advance to the workman charged but with further qualifications that previous charge must be affirmed as truthful in a general way when the witness is actually examined in the presence of the workman charged". Relying on this decision, the learned counsel for the Petitioner contended the Enquiry Officer in this case though relied on the Investigating Officer's findings and the statement recorded by him, the said statements were received by the Investigating Officer behind the back of the petitioner, under such circumstances, it should not have been relied on by the Enquiry Officer. On the other hand, the Enquiry Officer based his conclusion only on the statement given by some of the witnesses who are not examined before the Enquiry Officer.

7. But as against this, on behalf of the Respondent it is argued that the system in the bank operates on checks and counter checks and therefore no fraud on the bank can be perpetuated without the involvement or connivance of more than one person. In this case, the Manager could not have indulged in the fraud without the support of another staff; Of the various members of the staff of the Respondent Branch, the nexus of the petitioner to the fraud is more than anyone else. Further, he argued the domestic tribunal not being bound by the strict principles of law of evidence, can take into consideration the evidence of a co-accused and it would not in any way render his finding illegal and for this proposition, he relied on the ruling reported in 49 FJR371 ASSOCIATED CEMENT CO. LTD. VS. LABOUR COURT, COIMBATORE AND ANOTHER wherein the Madras High Court has held when it is argued that the findings of the Enquiry Officer in a domestic enquiry was based on the evidence of co-accused which had not been corroborated in any manner and the finding based on such uncorroborated and untested testimony of an accomplice was not admissible in evidence and when it is argued that the finding is perverse, the High Court held "the evidence would not in any way render his finding as illegal". Basing his argument on this judgment, in this case though the Enquiry Officer has based his finding on the statement given by the Sri A. Vinayakamurthy, though Vinayakamurthy was not examined before the Enquiry Officer, on that ground, it cannot be said that the findings of the Enquiry Officer is illegal or unjustified. Though, I find some force in the contention of the learned counsel for the Respondent, in this case no doubt it is alleged that Sri A. Vinayakamurthy has given a statement before the Investigating Officer but when it is doubted that whether Vinayakamurthy has given a statement or not, the reliance placed by the Enquiry Officer on the statement is not valid. Further, the reason given for the non-examination of the said Vinayakamurthy is not convincing and therefore I find Enquiry Officer's finding who has taken into consideration the statement of Vinayakamurthy is not legal.

8. Then the learned counsel for the Petitioner argued as regards the second charge that the petitioner for having a SB Account in SB A/c No. 189 of the Velipalayam Branch of Nagapattinam and when the balance of the account was only Rs. 524.52, he has issued a cheque on 18-06-2001 for Rs. 1000 which is against the circulars and guidelines of the bank, in this case he has credited the amount of Rs. 1000 before the cheque was passed on its presentation and therefore it cannot be said that the petitioner has done a grave misconduct. Further, though the Respondent Bank alleged that the petitioner was doing stationery business in the name of his Son and the said shop was let out by the cousin of Sri A. Vinayakamurthy, it cannot be said the shop run by the petitioner's Son is owned by the petitioner. Furthermore, no rule in the service regulations of the Respondent Bank for the Son doing some business and taken the premises owned by the cousin of Vinayakamurthy had to be treated as misconduct of the petitioner and it is well settled if the service rules or the standing Orders do not provide this as a misconduct, there cannot be a charge on that account and in the Glaxo Laboratories case which is reported in 1984, 1, LLJ, 16, the Supreme Court has held "in short it cannot be left to the vagaries of the Management to say ex post facto that some acts of omission or commission nowhere found to be enumerated in the relevant Standing Order is nonetheless a misconduct not strictly falling under the enumerated misconduct in the relevant Standing Order but yet a misconduct for the purpose of imposing a penalty would not per se be an act of misconduct and on that ground an employee cannot be punished for the said misconduct. The learned counsel for the petitioner further argued that routing of certain transactions which was exceeding the take home salary of the petitioner cannot alone indicate that the petitioner was engaged in business activity. Similarly, issuing a cheque without keeping sufficient balance cannot be treated as misconduct. In case if the cheque was returned without any balance in the account then it may be treated as violation. In this case the petitioner deposited the amount and the cheque was passed for payment and in such case the guidelines and circulars are not the service rules but are only a guidance and by not following them cannot be treated as a misconduct. I find much force in the contention of the learned counsel for the Petitioner. In this case, though the said Vinayakamurthy's relation, may be the owner of the shop in which the petitioner's Son is running a business, on that score we cannot conclude that this business was actually run by the petitioner. There is no evidence or documentary proof to show that the petitioner has got interest in the business run by the petitioner's Son, as such I am not inclined to accept that the findings given by the Enquiry Officer with regard to second charge is justified. Furthermore, canvassing a customer to open an account or introducing the customer to the bank cannot be said that he has interest in the individual and he has colluded with the said customer when there is no substantial evidence

to prove that the petitioner has involved in the offences alleged against him, it cannot be said that he is guilty of the offences. Therefore, I am clearly of the opinion that the findings given by the Enquiry Officer in this case is not based on any legal evidence. On the other hand he based his findings only on surmises, therefore, I find this point in favour of the petitioner.

Point No. 2

"The next point to be decided in this case is to what relief the petitioner is entitled?"

9. In view of my foregoing findings that the action of the Respondent Management in imposing the punishment of dismissal from service of the petitioner is not legal and justified, I find the petitioner is entitled to the relief of reinstatement. Then the next point to be decided is whether the petitioner is entitled to full backwages as claimed by him. Though the petitioner alleged in the claim statement that he was not employed anywhere and he is living at the mercy of his relatives which allegation was not disputed by the Respondent in his counter statement since the matter is pending for very long time before this Tribunal in the interest of justice, I think half of the backwages will deem to be a reasonable one in the circumstance shown before me and the petitioner is entitled to continuity of service and all other attendant benefits.

9. Thus, the reference is answered accordingly.

(Dictated to the P.A., transcribed and typed by him, corrected and pronounced by me in the open court on this day the 1st May, 2008)

K. JAYARAMAN, Presiding Officer

Witnesses Examined

For the 1st Party/Petitioner : WW1 Sri G. Sundar

For the 2nd Party/Management : None (No oral evidence)

Documents Marked

On the Petitioner's side

Ex. No. Date Description

Ex.W1 13-02-2001 Hand Loan Receipt -1

Ex.W2 31-03-2001 S.B.E. Society Loan Voucher

Ex.W3 01-04-2001 Rental Agreement of Shop Owner

Ex.W4 06-04-2001 Hand Loan Voucher-I

Ex.W5 20-06-2001 E.P.F. Loan Sanction Letter

Ex.W6 06-07-2001 Shop Owner Demand Draft

Ex.W7	02-11-2001	FIR
Ex.W8	12-09-2003	A letter by Respondent
Ex.W9	24-09-2003	Reply
Ex.W10	07-10-2003	E.P.F. Balance Sheet
Ex.W11	13-10-2003	Letter to Respondent
Ex.W12	21-10-2003	Reply
Ex.W13	18-03-2004	Statement by Branch Manager
Ex.W14	06-05-2004	Deposition of Meenakshi in C.C. No. 564/2003
Ex.W15	18-11-2000	Pondicherry Branch Manager Appreciation Letter (NPA)
Ex.W16	29-10-2001	Suspension Order
Ex.W17	25-04-2003	Departmental Enquiry
Ex.W18	12-05-2003	Proceedings from Zonal Officer
Ex.W19	29-08-2003	Order of Dismissal
Ex.W20	24-11-2003	Petition to Asstt. Labour Commissioner
On the Management's side		
Ex. No.	Date	Description
Ex.M1	29-10-2001	Suspension Order issued to G. Sundar
Ex.M2	18-02-2002	Charge Sheet issued to G. Sundar
Ex.M3	08-03-2002	Written Statement of Defense
Ex.M4	27-03-2002	Appointment of Enquiry Officer by Disciplinary Authority
Ex.M5	-	Enquiry Proceedings
Ex.M6 (Series)-		Exhibits marked in the Enquiry
Ex.M7	16-02-2003	Written brief by G. Sundar
Ex.M8	11-04-2003	Report of Enquiry Officer
Ex.M9	06-05-2003	Submissions on the Enquiry Reports by G. Sundar
Ex.M10	12-05-2003	Letter No.426/ZOC/IRC/2003/F691 of the Disciplinary Authority
Ex.M11	02-06-2003	Minutes of the Personal Hearing
Ex.M12	02-06-2003	Proceedings of Disciplinary Authority delivered to G. Sundar on 07-06-2003
Ex.M13	27-08-2003	Proceedings of the Appellate Authority at HO confirming the punishment

नई दिल्ली, 30 जून, 2008

का.आ. 1998.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पंजाब नेशनल बैंक के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्विष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/प्रम न्यायालय नं. 2 नई दिल्ली के पंचाट (संदर्भ संख्या 125/1997) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-6-2008 को प्राप्त हुआ था।

[फा. सं. एल-12012/413/1996-आईआर(बी-II)]

राजिन्द्र कुमार, डेस्क अधिकारी

New Delhi, the 30th June, 2008

S.O. 1998.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award Ref. No. 125/1997 of the Central Government Industrial Tribunal-cum Labour Court, No. 2, New Delhi as shown in the Annexure, in the industrial dispute between the management of Punjab National Bank and their workmen, received by the Central Government on 30-06-2008.

[F. No. L-12012/413/1996-IR(B-II)]

RAJINDER KUMAR, Desk Officer

ANNEXURE

BEFORE THE PRESIDING OFFICER: CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, NEW DELHI

PRESIDING OFFICER: R.N. RAI

I.D. No. 125/1997

IN THE MATTER OF:

Sh. O.P. Yadav,
S/o. Balbir Singh,
Kher (V & PO) Najafgarh,
New Delhi.

...Claimant

VERSUS

The Regional Manager,
Punjab National Bank,
Roshanara Road,
Delhi.

The Manager,
Punjab National Bank,
Roshanara Road,
Delhi.

...Respondents

AWARD

The Ministry of Labour by its letter No. L-12012/413/96/IR(B-II) Central Government Dt. 29-08-1997 has referred the following point for adjudication :

The point runs as hereunder:-

“Whether the action of the management of Punjab National Bank in dismissing the services of Sh. O.P. Yadav, Cashier w.e.f. 05-11-1994 is legal and justified? If not, to what relief the said workman is entitled.”

The case of the workman is that he was working as a cashier cum Godown Keeper and was last posted in Roshanara Road, Delhi Branch of Punjab National Bank.

That the management of the Punjab National Bank i.e. the opposite party terminated illegally his services from the bank w.e.f. 05-11-1994. The M/o. Labour, GOI has referred the above mentioned industrial dispute for adjudication.

The allegation against the workman is that on 12-10-1993 when a sum of Rs. 75,000 was tendered for deposit by the representative of M/s. Montgomery Goods Carriers in their Current Account No. 1412, he while working as Receipt Cashier, after having counted Rs. 7,000 stated that one bundle of Rs. 50 denomination consisted of only 90 notes instead of 100 notes. When the party depositing the cash desired return of the entire amount deposited by them, to enable them to re-check the cash tendered by them, since they had deposited exact sum of Rs. 75,000. Sh. O. P. Yadav informed that the slips from the bundles have been removed by him and the bank's slips had been affixed by him. He refused to return the cash to them and the party had to un-necessarily deposit a sum of Rs. 500 supposed to have been less received by him.

That proper opportunity was not given to the workman. He was not permitted to cross-examine the witnesses presented by the P.O. He was not permitted to cross-examine the P.O. The principles of natural justice have not been followed during the course of inquiry.

The case of the management is that on 12-10-1993, when a sum of Rs. 75,000 was tendered for deposit by the representative of M/s. Mont Gomery Goods Carriers in their C/A. No. 1412, Sh. Yadav working as receipt cashier after having counted Rs. 7,000 stated that one packet of Rs. 50 denomination consisted of only 90 notes instead of 100 notes. When the party depositing the cash desired that the entire amount deposited by them be returned so that they can re-check the cash. Sh. Yadav informed that slips from the bundle had been removed and the bank's slips have been affixed by him as a result of the aforesaid the party was made to deposit a sum of Rs. 500.

The further case of the management is that on 19-10-1993 one Sh. Ishwar Chand visited the branch for

depositing cash of Rs. 1.00 Lac in party's SF A/cs. He in good faith handed over the cash to Sh. Yadav and went to obtain a cheque book from another dealing clerk. On his return, he was informed by Sh. Yadav that one of the packets of Rs. 50 denomination was short by 10 notes i.e. it contains only Rs. 4,500 instead of Rs. 5000. According to the complainant the packet allegedly containing 10 notes less shown to him by Sh. Yadav did not belong to him as it was without bank's slip whereas the packets deposited by him bore bank's slip.

That the inquiry was conducted fairly against the workman. The workman participated in the inquiry. He cross-examined all the witnesses of the management. He was not given show cause notice before awarding punishment. He pleaded guilty in the inquiry for lenient punishment.

The workman applicant has filed rejoinder. In the rejoinder he has reiterated the averments of his claim statement and has denied most of the paras of the written statement. The management has also denied most of the paras of the claim statement.

Evidence of both the parties has been taken.

Heard argument from both the sides and perused the papers on the record.

It was submitted from the side of the workman that the charges were forged and fabricated. The shortage of Rs. 500/- was not due to his own grounds. The party made a complaint after 11 days. It is wrong that, he detained Rs. 500 out of Rs. 5000/- for his personal gains:

It was submitted from the side of management that the charges were leveled against the workman on the complaint, of the party. The party appeared before the Inquiry Officer and they deposed against the workman. The workman cross examined the witnesses. He pleaded in the inquiry proceedings that he should be given lenient punishment. The inquiry is fair. The workman has admitted in his cross examination that he cross-examined all the witnesses.

From perusal of the inquiry proceedings it becomes quite obvious that MW2, the complainant appeared before the Inquiry Officer and he deposed that he deposited a packet of Rs. 5000/- . The workman took away 10 notes and he reported that there was Rs. 500/- short.

It becomes quite obvious from perusal of the inquiry proceedings that Sh. Ishwar Chand also visited the branch to deposit the cash of Rs. 1.00 Lac in SB account. The party handed over the entire cash to the workman and it was reported by the workman that 10 notes of 50 denominations were found short. Sh. Jinder has been examined as MW 1. He appeared before the Inquiry Officer. The workman has cross examined the witnesses.

He has admitted during the course of inquiry that he admitted his guilt and lenient punishment may be given to him.

It becomes quite obvious from perusal of the findings of the Inquiry Officer that he has analysed the entire evidence and he has given his finding after considering oral as well as documentary evidences.

The findings of the Inquiry Officer cannot be said to be based on no evidence.

It has been held that in a domestic inquiry the strict and sophisticated rules of evidence under the Evidence Act may not apply. All materials which are logically probative for a prudent mind are permissible. There is no allergy to hearsay evidence provided it has reasonable nexus and credibility. The departmental authorities and administrative tribunals must be careful in evaluating such material and should not glibly swallow what is strictly speaking not relevant under the Evidence Act.

"The sufficiency of evidence in proof of the finding by a domestic tribunal is beyond scrutiny. Absence of any evidence in support of a finding is certainly available for the court to look into because it amounts to an error of law apparent on the record."

It has been held in 1972 (25) FLR 45 as under :—

"An industrial Tribunal would not be justified in characterizing the finding recorded in the domestic inquiry as perverse unless it can be shown that such a finding is not supported by any evidence, or is entirely opposed to the whole body of the evidence adduced before it. In a domestic inquiry once a conclusion is deduced from the evidence, it is not permissible to assail that conclusion even though it is possible for some other authority to arrive at a different conclusion on the same evidence.

It has been held in this case that in domestic inquiry evidence of a solitary witness is sufficient to hold the charges proved.

It has been held in 2001 (89) FLR 427 as under :—

"It is well settled that a conclusion or a finding of fact arrived at in a disciplinary inquiry can be interfered with by the court only when there is no material for the said conclusion; or that on the materials, the conclusion cannot be that of a reasonable man."

From perusal of inquiry proceedings it becomes quite obvious that the workman has cross-examined all the witnesses. He was permitted to adduce his own evidence but he did not adduce his evidence. Two A/c. Holders of the bank have been examined by the management. They have been cross-examined by the workman. Eleven days delay in filing the complaint is not a material delay. The findings of the Inquiry are based on adequate evidence. The orders of the DA and AA are also reasoned one. The

workman has committed the same misconduct on previous occasion also. The punishment imposed on the workman in view of the embezzlement of A/c. Holder's money is quite appropriate. No interference is required.

The reference is replied thus :

The action of the management of Punjab National Bank in dismissing the services of Sh. O.P. Yadav, Cashier w.e.f. 05-11-1994 is legal and justified. The workman applicant is not entitled to get any relief as prayed for.

The award is given accordingly .

Date : 24-06-2008

R.N. RAI, Presiding Officer

नई दिल्ली, 30 जून, 2008

का.आ। 1999.——औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पंजाब नेशनल बैंक के प्रबंधतान्त्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुवंश में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकारण/श्रम न्यायालय नं. 2 नई दिल्ली के पंचाट (संदर्भ संख्या 71/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-6-2008 को प्राप्त हुआ था।

[फा. सं. एल-12011/107/2002-आईआर(बी-II)]

राजिन्द्र कुमार, डेस्क अधिकारी

New Delhi, the 30th June, 2008

S.O. 1999.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award Ref. 71/2002 of the Cent. Govt. Indus. Tribunal-cum-Labour Court, No. 2, New Delhi as shown in the Annexure, in the industrial dispute between the management of Punjab National Bank North Delhi, Region and their workmen, received by the Central Government on 30-06-2008.

[F. No. L-12011/107/2002-IR(B-II)]

RAJINDER KUMAR, Desk Officer

ANNEXURE

BEFORE THE PRESIDING OFFICER: CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, NEW DELHI

PRESIDING OFFICER: R.N. RAI

I.D. NO. 71/2002

IN THE MATTER OF :

Sh. R.K. Katyal,
C-VI/12 Yamuna Vihar,
Delhi-110053.

VERSUS

M/s. Punjab National Bank,
North Delhi Region,
4th Floor, Rajendra Place,
New Delhi-110008

AWARD

The Ministry of Labour by its letter No.L-12012/107/2002-IR(B-II) dated 12-08-2002 has referred the following point for adjudication:

The point runs as hereunder :—

“Whether the action of the management of Punjab National Bank, New Delhi in terminating the services of Sh. Raj Kumar Katyal, Ex. Clerk-cum-Cashier by awarding the punishment of compulsory retirement is legal and justified ? If not, what relief is the workman entitled to and from which date.”

That the workman while working as Clerk/Cashier at Branch Office Yamuna Vihar he was placed under suspension vide order dated 7-5-94 and subsequently he was issued charge sheet dated 28-9-1994. The suspension of workman is illegal and invalid and also being in violation of Clause 12(b) of First Bipartite Settlement. The payment of subsistence allowance not made in accordance with the service conditions during the period of suspension. Inspite of pay revision the subsistence allowance was paid only on pre-revised scale. It is settled law that the revision of pay should be taken into consideration while fixing the subsistence allowance. The Bank with the object of harassing the workman and with predetermined mind to punish him did not pay the subsistence allowance on revised pay.

That the workman submitted a reply dated 2-12-94 to the charge- sheet denying the allegations leveled against him. It was alleged in the charge sheet that the workman did not get the PPO delivered to the legal heirs of Smt. Kanti Devi, Pension Account No.10484 and manipulated the PPO No.9010G to 9818 G to defraud the Bank got opened a SF Account No.15668 in the name of Smt. Kanti Devi Sharma and got credited arrear of pension of Rs. 10,206/- in the name of Smt. Kanti Devi Sharma on 4-6-93, and also got credited a sum of Rs.1728/- on 5-6-93 and withdrew amounts from time to time to the tune of Rs. 20,574/-. It was further alleged that the workman was responsible for lodging pension payment scrolls with the Link office every month but lodged in bulk in August, 1993, the above allegations would constitute gross misconduct under para 19.5(j) of the Bipartite Settlement. While denying the allegations vide letter dated 22-10-94 , the workman also demanded relevant and material documents for making effective reply to the charge sheet. The documents demanded were as follows:

1. Copy of the PPO No. 9818 of the pensioner Smt. Kanti Devi.
2. Copy of Account Opening Form SF A/C No. 15668 in the name of Smt. Kanti Devi Sharma and
3. Copy of Arrangement Register pertaining to my duties from 4-6-93 to 3-11-93.

The Bank vide letter dated 7-11-94 informed the workman that these documents were not available. In view of the non-supply of these material and relevant documents, the workman was prevented from giving effective reply to the Charge-sheet. However, the workman submitted a reply dated 2-12-94 and also mentioned therein that in the absence of the material documents he was giving the reply.

That the Disciplinary Authority of the Bank decided to hold the enquiry vide Order dated 6-12-94 and also appointed the Enquiry Officer Shri R.N.Sharma issued notice dated 9-12-94 and fixed the first hearing on 17-12-94, the Enquiry commenced on 17-12-94 and concluded on 19-6-1995.

That the workman demanded assistance of a lawyer in the enquiry on 17-12-94 which was denied to him by the Disciplinary Authority. The Disciplinary Authority failed to appreciate that the charge being serious and complex nature, the workman could not understand the legal intricacies and therefore a legally trained lawyer was a must to defend him. Hence reasonable opportunity to defend was denied to the workman by denying the assistance of a lawyer. The change of the Presenting Officer who was a legally trained person would not make any change as far as the requirement of assistance of a lawyer in the enquiry.

That the list of documents and witnesses were not given on the first date of enquiry. The workman was taken to surprise by not giving the list of documents and list of witnesses on the first date of enquiry itself.

That though inspection of original documents filed by the Management was allowed on 20-1-95, but all original documents were not given for inspection. The Management however, produced their witnesses on 3-4-95 without giving inspection of original documents. The non supply of the documents demanded by the workman in his defence, caused grave prejudice to the workman as the workman was deprived of the reasonable opportunity to defend. Evident from enquiry proceedings held on 2-6-95 that the original document listed at Serial No.4 was stated to have been not available. Only the four documents mentioned in the proceedings held on 2-6-95 were given and the rest of the documents were not given at all.

That the enquiry was concluded on 19-6-95 and the Enquiry Officer directed the parties to furnish written briefs. The Enquiry Officer made his report dated nil. The enquiry findings were not furnished to the workman. Therefore, the question of asking his comments would not arise at all.

The law mandates furnishing of enquiry report and asking for comments from the delinquent. This opportunity was denied to the workman.

That the enquiry officer exonerated the workman of the charges/misconducts except in respect of charge/misconducts except in respect of charge/misconduct that the workman never lodged the scrolls after he was assigned the duty of pension seat. It is submitted that the finding of the enquiry officer that the workman never lodged the scroll is itself contrary to the allegations leveled in the charge sheet. This itself is uncalled for. The allegation in the charge sheet is that the workman lodged the scrolls in bulk itself clears that it was lodged. Therefore, the finding of the enquiry officer in respect of this allegation is perverse.

That the Disciplinary Authority without furnishing the Enquiry Report of the Enquiry Officer and asking for the comments on the same of the workman, straightway proposed the punishment of 'compulsory retirement' vide letter dated 18-12-1997, this is indicative of the predetermined mind of the disciplinary authority to punish the workman. The Disciplinary Authority ought to have issued show-cause with regard to his disagreement with the Enquiry Officer first. Without doing so proposing punishment straightaway is indicative of his predetermined mind to punish the workman. Reasonable opportunity was also denied by the Disciplinary Authority in so far as not giving opportunity to the workman to canvass against the findings for disagreement with the Enquiry Officer. This vitiates the entire action taken against the workman.

That the Disciplinary Authority did not act independently and rather acted under the pressure and directions of Central Vigilance Commission. After lapse of more than two years of the conclusion and submission of enquiry Report, the Disciplinary Authority issued letter dated 18-12-1997 proposing the punishment. During the in between period of two years correspondence were exchanged between the Disciplinary Authority/Bank Management and the Central Vigilance Commission with regard to the Disciplinary Action against the workman. The correspondence would disclose that in fact the disciplinary Authority proposed a lesser punishment and only due to the pressure and directives of the Central Vigilance Commission, the Disciplinary Authority imposed the punishment of compulsory Retirement which would not have been imposed otherwise. Thus the Disciplinary authority acted under the pressures as directives of the CVC. Hence the order of punishment dated 30-7-1998 is illegal and invalid.

The disciplinary Authority has not given any logical reasonings for disagreeing with the findings of the Enquiry Officer. The conclusions given by the Disciplinary Authority for holding the workman guilty of the misconducts are not based on any evidence. The findings of the Disciplinary Authority are therefore perverse, the Disciplinary Authority

failed to give reasonings how and by what evidence the misconducts/charges were found proved by him against the workman. On this ground itself the enquiry is vitiated.

That the workman preferred an appeal dated 10-9-98 assailing the order of punishment dated 30-7-98 and representation dated 17-2-98, the appellate Authority dismissed the Appeal vide order dated 4-11-99 without a speaking order. The issues raised in the Appeal have not been considered at all by the Appellate Authority. Non-assigning of reasons itself is indicative of non-consideration of the issues raised in the Appeal. Hence the order of the Appellate Authority is also illegal and invalid.

That the entire Disciplinary Action is vitiated for the reasons stated above. As a result the order of compulsory retirement dated 30-7-98 and the rejection of appeal dated 4-11-99 are illegal and invalid and are liable to be set aside.

That after the order of compulsory retirement the workman has been remained unemployed and is unable to sustain himself and family. The workman is surviving wholly on the support of his relations.

In the written statement filed by the management it is stated that Shri R.K.Katyal , while posted at our B.O. Yamuna Vihar, Delhi was served with the charge sheet dated 28-9-1994 on account of gross misconduct on his part and he was charged under para 19. 5(j) of the Bipartite Settlement. He while working on the Pension and Teller seat, allegedly defrauded the bank to the tune of Rs. 20,574 by getting pension order favouring Smt. Kanti Devi credited in a new SF Account opened by him. He also allegedly got credited the arrear of the pension to the newly opened SF Account. His reply dated 02-12-1994 to the aforesaid charge sheet was duly considered by the Disciplinary Authority, who constituted enquiry vide order dated 06-12-1994 to look into the truth of charges leveled against Shri Katyal. The report of the Enquiry Officer alongwith the record of enquiry was duly considered by the Disciplinary Authority, who Vide show cause notice dated 18-12-1997 proposed the punishment of "Compulsory Retirement"under para 199.6(b) of the Bipartite Settlement upon Shri Katyal. The personal hearing was fixed for 17-01-1998, 20-02-1998 and then deferred to 07-03-1998 and finally the same was held on 04-04-1998 Shri Katyal also submitted written representation dated 20-02-1998 /04-04-1998 which was duly considered and the Disciplinary Authority passed final order dated 30-07-1998 confirming the aforesaid punishment upon Shri Katyal. Shri Katyal preferred an appeal dated 10-09-1998, which was decided by the Appellate Authority vide orders dated 04-11-1999 and the same were duly conveyed to Shri Katyal . "It is, therefore, submitted that the aforesaid punishment had been inflicted

upon Shri Katyal in accordance with the provisions of the Bipartite Settlement keeping in view the gravity of allegation proved against him. It is the submission of the Bank that the departmental enquiry was conducted against Shri Katyal in accordance with the provisions of the Bipartite Settlement. However, in case this Hon'ble Tribunal comes to the conclusion for any reason whatsoever that the enquiry conducted was not fair, in that eventuality the bank would like to lead evidence before this Hon'ble Tribunal to prove the allegations made against Shri Katyal vide charge sheet dated 28-9-94."

That the claimant demanded for certain documents and the same were not provided by the management enabling him to submit a suitable reply to the charge sheet. It is to be submitted that the claimant was informed by the Branch Manager, B.O. Yamuna Vihar, Delhi vide letter dated 7-11-1994 to visit the branch to verify the arrangement registers as desired by the claimant as the same could not be made possible to him due to voluminous size of the same.

It is submitted that the copies of the documents held by the Presenting Officer as well as the list of witnesses were made available to Shri Katyal in the proceedings held on 20-01-95 after the charge sheeted employee denied the allegations made against him vide charge sheet dated 28-9-94 in response to the query by the Enquiry Officer as to whether he was received the charge sheet, understood the allegations and whether he admits the same or not.

However, certain original documents could not be produced for inspection and the Presenting Officer was advised to produce the same on the next date of hearing i.e. 27-3-95. On 27-3-95, the enquiry was adjourned to 3-4-95 for management evidence, when two management witnesses were examined and also cross examined by the defence representative without raising any objection submission as to production of remaining original documents. In view of this, it is submitted that no prejudice can be said to have been caused to Shri Katyal.

It is to be submitted that while sending the Show Cause Notice dated 18-12-1997 to Shri Katyal , proposing therein the punishment of compulsory retirement, the copy of Enquiry Report was missed inadvertently. The same was sent to Shri Katyal vide letter dated 06-02-1998 much prior to the date of hearing fixed in the matter. Shri Katyal was advised to appear for personal hearing on 20-02-1998.

In any case it is submitted that no prejudice has been caused to Shri Katyal on account of non-submission of enquiry report to him earlier for his representation.

It is to be submitted that copy of the enquiry report though not provided to claimant before the Show Cause

Notice, the same was provided vide letter dated 6-02-1998, much prior to date of personal hearing fixed in the matter i.e. 20-02-1998.

It is submitted that necessary consultations were held with the Vigilance Department since the allegation made against Shri Katyal had vigilance overtone. It is, however, categorically denied that the Disciplinary Authority did not act independently as alleged or otherwise. It is submitted that the Disciplinary Authority inflicted punishment upon Shri Katyal having regard to the gravity of allegations held to be proved against him.

It is to be submitted that the Disciplinary authority while considering the findings of the Enquiry Officer as well as the contentions raised by claimant during personal hearing and after applying his mind and on evaluating the evidences adduced during enquiry proceedings, came to conclusion for imposing the major penalty of Compulsory Retirement upon Shri R. K. Katyal. Appellate Authority consequent upon evaluating the evidences, the gravity of the charges and the nature of the punishment assigned thereto, mend, confirm the orders of the Disciplinary Authority. The concurrence of Appellate Authority for punishment of Compulsory Retirement upon claimant re-affirms the view that the punishment of Compulsory Retirement upon claimant re-affirms the view that the punishment of Compulsory Retirement imposed upon the claimant vide order dated 30-07-1998 of the Disciplinary Authority is commensurate to the lapses.

It is to be submitted that the punishment of Compulsory Retirement inflicted upon the claimant vide order dated 30-7-1998 of the Disciplinary Authority and thereafter confirmed by the Appellate Authority vide order dated 04-11-1999 are in accordance with the provision envisaged in Chapter 19 of the Bipartite Settlement dated 19-10-1966 amended from time to time.

The workman applicant has filed rejoinder. In the rejoinder he has reiterated the averments of his claim statement and has denied most of the paras of the written statement. The management has also denied most of the paras of the claim statement.

Evidence of both the parties has been taken.

Heard argument from both the sides and perused the papers on the record.

It was submitted from the side of the workman that the following illegal charges were served against him which are as under:

1. Smt. Kanti Devi, MCD Pensioner died on 14-02-1993 and her pension A/c. No. 10484 was closed. As per procedure PO of the closed pension A/c. in case of MCD pensioners is

required to be handed over to the legal heirs of the pensioners with remark "pensioner died" and the Accounts Officer of the MCD is requested to append their sanction for the payment of the family pension. You, while working on the pension seat as a part of your duty were supposed to get the PPO delivered to the legal heirs for getting the needful done from the MCD but you deliberately did not do so with a malafide intention and later manipulated the relative PPO No. 9010 G to 9818 G to defraud the bank.

2. After manipulating the PPO No. 9010 G of the deceased pensioner, Smt. Kanti Devi into PPO No. 9818 G you got opened a new SF A/c. of the pension to the tune of Rs. 10, 206/- in the name of Kanti Devi Sharma on 04-06-1993.
3. On 05-06-1993 you also got credited a sum of Rs. 1728 on account of pension for the month of May, 1993 and subsequently withdrew the entire amount from time to time to the tune of Rs. 20, 574 through different withdrawal slips. Further, pension was got credited to this SF A/c. No. 15668 up to October, 1993.
4. You were also responsible for lodging pension payment scrolls with the link office every month but the same were lodged in the bulk in August, 1993.

It was submitted from the side of the workman that the management witness did not supply him the documents relied upon by the Inquiry Officer.

That the workman demanded assistance of a Lawyer in the inquiry on 17-12-1994 but the management denied the same. The list of the documents and witnesses were not given on the first date of inquiry. He was allowed inspection of the original documents filed by the management but all the original documents were not available for inspection.

That the findings of the Inquiry Officer was not made available to him before pre-decisional hearing.

It was submitted that the Inquiry Officer held the 3 charges not proved. The DA dis-agreed with the same but he did not give any notice regarding his findings for disagreement. The DA under the pressure and direction of CVC imposed severe punishment. The DA has not given any reasons for disagreeing with the findings.

It was submitted from the side of the management that the workman was permitted to inspect the documents. Two documents were not made available to him. As per the BPS the CSE cannot claim the assistance of a Lawyer. The

DA has every right to dis-agree with the findings of the Inquiry Officer. A copy of the inquiry report was furnished to him vide letter dated 06-02-1998 whereas the date of personal hearing was 20-02-1998.

From perusal of the records it becomes quite obvious that the Inquiry Officer did not find charge no. 1, 2 & 3 proved and he found charge no. 4 only proved whereas the DA found all the charges proved. The DA may disagree with the findings of the Inquiry Officer but he should record the reasons for his dis-agreement and a copy of his findings should be given before awarding the punishment.

In the instant case the DA has not sent a copy of his findings and his reasons regarding dis-agreement with the findings of the Inquiry Officer.

I have perused the inquiry proceedings and the findings of the Inquiry Officer. The Inquiry Officer has discussed in detail the evidence that has come on the record. It has been mentioned by the Inquiry Officer that the P.O. did not produce any oral or documentary evidence in support of the allegation that the CSE did not deliver the PPO of Smt. Kanti Devi to her legal heir with remarks "Pensioner Died".

From perusal of the inquiry proceedings and the findings of the Inquiry Officer it becomes quite obvious that pension files, papers and documents remained in the custody of officer, so the CSE cannot be held guilty of with holding pension files, papers and documents and PPO.

The CSE mentioned himself during the inquiry but the P.O. did not cross-examine as such the statement of the CSE has not been rebutted by the P.O. The Inquiry Officer has rightly held that there is no oral or documentary evidence in regard to retaining these documents by the CSE. The P.O. did not produce any document regarding manipulation by the CSE of the pension of the PPO No. 9010 G of Smt. Kanti Devi. Her LR has received the entire amount, so there is no evidence regarding manipulation by the CSE.

The Inquiry Officer held that an amount of Rs. 10,206/- has been credited to the account of Smt. Kanti Devi on 04-06-1993 by credit voucher dated 04.06.1993, so the charge of embezzlement of Rs. 10,206/- is not proved. No credit voucher has been produced in the course of inquiry which the CSE has manipulated. The voucher prepared by the CSE has been authenticated by the Manager.

DW3 has deposed that the pension is opened and it is initialed and checked by the concerned pension Incharge. The Pension Incharge has put his signature on the same.

In regard to charge no.3 it becomes quite obvious that it relates to withdrawal of Rs. 20,574 with different withdrawal slips and the pension was got credited to the SF A/c. 156668 up to October, 1993. The Pension account has been prepared by the concerned officer. The entries have been prepared on the directions of the Incharge Officer. Smt. Kanti Devi has received the entire amount through her men and Sh. Katyal has received the amount and paid to her. Smt. Kanti Devi has not been examined. Sh. J.D. Tiwari, staff has deposed that the withdrawal for Rs. 2000, Rs. 3000, Rs. 3000, Rs. 1700 & Rs. 1800 do not bear the signature of the CSE. These vouchers have not been prepared by the CSE.

From perusal of the records it becomes quite obvious that the workman has not embezzled even single paise. The recipients have received all the amounts and the same amounts which Sh. Katyal has received has been paid to Smt. Kanti Devi.

MW2 has deposed that Smt. Kanti Devi was an old lady and could not stand in a queue. MW2 made the payment to Sh. Katyal and Sh. Katyal has handed over the amount to Smt. Kanti Devi. The inquiry officer has rightly found this charge not proved. The Inquiry Officer has held that the CSE was responsible for lodging pension payments scroll with the link of each and every month but the same were lodged in August, 1993. The P.O. produced the registers of arrangement. The CSE was allotted pension work on 07-03-1993. An employee was deputed in August to prepare the scrolls for the pending period. It was the duty of the CSE to lodge scroll papers after he was assigned the duties of pension sheet on 07-03-1993.

The CSE lodged all the scrolls in bulk in August, 1993. Had he lodged the scrolls timely, the fraud in question would not have occurred ? The CSE was posted on 07-03-1993 but he lodged the scrolls in August, 1993, so fraud in question was committed.

From perusal of the findings of the Inquiry Officer and the findings of the DA, it becomes quite obvious that the findings of the DA are not supported by any evidence and reasonings. He has dis-agreed with the findings of the Inquiry Officer out of his freewill. There are no reasons for dis-agreement.

From perusal of the inquiry proceedings it becomes quite apparent charge no. 1 to 3 regarding embezzlement and fictitious opening PPO are not proved. The Inquiry Officer has rightly not found charge no.1 to 3 proved.

So far as charge no.4 is concerned regarding lodging of scrolls, it is abundantly proved that all the scrolls have been lodged at a time in August, 1993 and that has led to be fraud committed.

The findings of the Inquiry Officer are based on evidence of the witnesses.

It was submitted from the side of the management that the workman has taken three years in filing this case. In case full wages are granted the bank will be put to heavy loss. It has been held by the Hon'ble Apex Court in case of delay the Tribunal should not award full back wages automatically.

In the facts and circumstances the workman is entitled to 60% back wages all along. The punishment imposed on the workman is excessive. The DA imposed such punishment after holding all the charges proved wrongly.

In the instant case three charges are not proved. Only Charge No.4 is proved, so it is expedient in the interest of justice that the workman should be reinstated with stoppage of two increments cumulatively and with 60% back wages.

The reference is replied thus:

The action of the management of Punjab National Bank, New Delhi in terminating the services of Sh. Raj Kumar Katyal, Ex. Clerk cum Cashier by awarding the punishment of compulsory retirement is neither legal nor justified. The management should reinstate the workman with stoppage of two increments with 60% back wages within two months from the date of the publication of the award.

The award is given accordingly.

Date : 20-06-2008

R. N. RAI, Presiding Officer

नई दिल्ली, 30 जून, 2008

का.आ. 2000. —औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार कोचिन पोर्ट ट्रस्ट के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/अम न्यायालय ईरनाकुलम के पंचाट (संदर्भ संख्या 35/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-6-2008 को प्राप्त हुआ था।

[फा. सं. एल-35011/7/2007-आईआर(बी-II)]

राजिन्द्र कुमार, डेस्क अधिकारी

New Delhi, the 30th June, 2008

S.O. 2000.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 35/2007) of the Central Government Industrial Tribunal-cum-Labour

Court, Ernakulam as shown in the Annexure, in the industrial dispute between the management of Cochin Port Trust and their workmen, received by the Central Government on 30-06-2008.

[F. No. L-35011/7/2007-IR(B-II)]

RAJINDER KUMAR, Desk Officer

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ERNAKULAM

Present : **Shri P. L. Norbert, B.A., LL.B., Presiding Officer**

(Friday the 20th day of June, 2008/30th Jyashtha 1930)

I.D. 35/2007

Union : The General Secretary,
Cochin Port Staff Association,
Kochi.
By Adv. Sri. A. V. Xavier.

Management : The Chairman,
Cochin Port Trust, Kochi.
By Adv. M/s. Menon & Pai

This case coming up for hearing on 20-06-2008, this Tribunal-cum-Labour-Court on the same day passed the following :

AWARD

This is a reference made under Section 10(1)(d) of Industrial Disputes Act claiming higher rate of interest on P.F. amounts for the period 2005-2006. On notice both sides entered appearance. Union then filed a statement to the effect that the interest rate of 6.5% on P.F. accumulation is proper and hence the union does not want to proceed with the dispute and they are withdrawing the dispute. It means that there is no dispute for adjudication.

In the result an award is passed finding that the action of the management in declaring interest at 6.5% on P.F. accumulation of its employees for the period 20-05-2006 is fair and just and the workers are not entitled for any relief.

The award will come into force one month after its publication in the official gazette.

Dictated to the Personal Assistant, transcribed and typed by her, corrected and passed by me on this the 20th day of June, 2008.

P. L. NORBERT, Presiding Officer

Appendix—Nil.

नई दिल्ली, 30 जून, 2008

का.आ। 2001.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेन्ट्रल बैंक ऑफ इंडिया के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय कोलकाता के पंचाट (संदर्भ संख्या 09/05) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-6-2008 को प्राप्त हुआ था।

[फा. सं. एल-12011/158/2004-आई आर(बी-II)]
राजिन्द्र कुमार, डेस्क अधिकारी

New Delhi, the 30th June, 2008

S.O. 2001.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 09/05) of the Central Government Industrial Tribunal-cum-Labour Court, Kolkata as shown in the Annexure, in the Industrial Dispute between the management of Central Bank of India and their workmen, received by the Central Government on 30-6-2008.

[F. No. L-12011/158/2004-IR(B-II)]

RAJINDER KUMAR, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT KOLKATA

Reference No. 09 of 2005

Parties : Employers in relation to the management of Central Bank of India

AND

Their workmen.

Present : Mr. Justice C.P. Mishra Presiding Officer

Appearance:

On behalf of the Officer, Management : Mr. T.R. Behera, Law

On behalf of the Workmen : Mr. D. Chatterjee, General Secretary of the union.

State : West Bengal. Indust./Banking.

Dated: 19th June, 2008

AWARD

By Order No. L-12011/158/2004-IR(B-II) dated 11-01-2005 the Government of India, Ministry of Labour in exercise of its powers under Section 10(1) (d) and (2A) of the Industrial Dispute Act, 1947 referred the following dispute to this Tribunal for adjudication :

“Whether the action of the management of Central Bank of India, 206 A.P.C. Road, Kolkata —700004 in

discharging the services of Shri Amiya Kumar Sahu, Sub-staff of Baghmore Branch under R.O. North Kolkata is legal and justified? If not, what relief the concerned workman is entitled to?”

2. This reference has been made at the instance of Central Bank National Employees' Union (hereinafter to be referred as the union). The case of the workmen as it appears from the statement of claims in brief is that Shri Amiya Kumar Sahu the concerned workman was appointed in the Bank as subordinate staff/Peon on 20th January, 1982 and posted at Baranagar Branch under Regional Office(North). He was suspended from service by a memo dated 22-2-1985 and subsequently chargesheeted vide Chargesheet No. RO/IR/86/222 dated 14-04-1986 by the Disciplinary Authority. Charges leveled against the workman are as follows:

- (1) He forged the signature of Smt. Ratna Sarkar, a customer in a withdrawal slip and fraudulently withdrawn Rs. 250/- on 20-05-1982 from her Savings A/c. No. 1261 maintained at Baranagar Branch of the Bank.
- (2) He forged the signature of aforesaid Smt. Ratna Sarkar in a withdrawal slip and fraudulently withdrawn Rs. 500 on 25-05-1982 from her aforesaid Savings A/c.
- (3) He also forged the signature of the said Smt. Ratna Sarkar and withdrawn Rs. 25/- on 28-05-1982 from the aforesaid Savings A/c.

Shri S.M. Basu, Chief Officer (Law) and Shri Pradip Kumar Biswas were appointed as Enquiry Officer and Presenting Officer respectively by the Disciplinary Authority in respect of the enquiry to enquire into the charges leveled against the workman concerned. The enquiry was started on 08-05-1986 and the same was concluded on 29-07-1986. In the enquiry witnesses were examined on behalf of both the management and workmen and some documents were also exhibited. The Enquiry Officer in his findings submitted to the Disciplinary Authority on 22-08-1986 came to the conclusion that the charges contained in the chargesheet dated 14-04-1986 have not been proved against the chargesheeted employee beyond reasonable doubt. It is pointed out that the witness MW-2, Niharendu Dutta an officer working in the Savings Department stated during enquiry that the three withdrawal slips in question were passed by him for payment. He also stated that the chargesheeted employee was absent on 24-05-1982 and 25-05-1982 and normally the Peon Subordinate Staff had not got any access to the specimen signature cards or pass book. Evidence of MW-3, D.K. Mukherjee is also pointed out and it is stated that he has stated that the modus operandi of this fraud was by forging the signature of the account holder and thereby withdrawing the money on the basis of forged signature.

on the withdrawals or Smt. Rantna Sarkar, but he did not come to the conclusion in his confidential report that some staff members are involved. So also the evidence of MW-4, Amar Singh the Assistant Govt. Examiner of the questioned documents who clearly stated during enquiry in cross-examination that his opinion does not contain the detailed analysis regarding the aspects of similarities and dissimilarities as appearing in the questioned documents and standard handwritings. Evidence of DW-1, P. Chatterjee is also referred to wherein it is stated by him that the writer of the disputed writings appearing on the three withdrawal slips are definitely not written by the concerned workman. It is pointed out that the concerned account holder in whose account the alleged fraud was committed was not produced during enquiry. The Bank authorities, however, prevailed over the Disciplinary Authority to issue another memo dated 24-02-1987 appointing another Enquiry Officer for initiating a de-novo enquiry. In such view of the matter, the concerned workman had no other alternative but to move the Hon'ble Kolkata High Court in its writ jurisdiction challenging holding of de-novo enquiry being No. Civil Order 8962(W) of 1987 and obtained an order of stay. However, the said writ petition was withdrawn when the Bank authorities has submitted before the Hon'ble Court that it would not proceed with de-novo enquiry. Thereafter another memo dated 13-06-1989 was issued to the workman enclosing therewith a copy of the findings of the Enquiry Officer and the Disciplinary Authority has communicated in the said memo that he has disagreed with the findings of the Enquiry Officer and proposed to award a consolidated punishment of discharge from service. After giving a personal hearing to the chargesheeted workman the Disciplinary Authority vide order dated 26-11-2002 awarded the punishment of discharge from service with superannuation benefits against the workman concerned. The workman thereafter made an appeal against the aforesaid order of punishment, but the Appellate Authority after giving a personal hearing to the workman upheld the said punishment. It is pointed out that the Disciplinary Authority after taking personal hearing on 23-09-2002 recommended to the Central Office, Vigilance Dept. vide letter No. RO/KOL/N/RM/02-03/9/118 dated proposed to award the punishment of bringing down to lower by two stages in the existing scale of pay for a period of two years as per Clause 6(e) of the Bipartite Settlement dated 10-04-2002 against the concerned workman, but ultimately imposed the aforesaid punishment under Clause 6(d) of the said Bipartite Settlement. It is submitted that the findings of the Enquiry Officer under the provisions of the Bipartite Settlement is invulnerable and the Disciplinary Authority is bound to take them into consideration and accordingly for disciplinary action. The order of the Disciplinary Authority should have been drafted under paragraph 521/87 and clause 19.10 of the Bipartite Settlement. The workman was punished on charges not proved in the enquiry and thus the management is guilty

for committing basic error of fact. It is also submitted that the chargesheet itself is malafide. The Disciplinary Authority has drawn his own imagination and imported facts and circumstances not proved in the enquiry. The Disciplinary Authority and also the Appellate Authority have not made proper evaluation of the evidence on record and based their conclusions on mere conjectures and surmises and their decisions are perverse. It is further stated that the findings of the Disciplinary Authority is bad in law because he has not passed a speaking or reasoned order. It is accordingly that the concerned workman be made free from all charges and he be reinstated in service with full back wages from 26-11-2002 and difference of suspension allowance from 24-05-1985 to 15-01-1996.

3. The management of Central Bank of India, hereinafter to be referred as the management has filed a written statement. Management firstly challenged the maintainability of the reference itself and has stated that it is ex-facie without any application of mind by the concerned authority and the same is not maintainable in law. On merits it is stated that the workman had committed frauds on several occasions at Bank's Baranagar Branch for which he was served with suspension memo dated 22/24-05-1985 by the Bank when the incidents came to its knowledge. The memo dated 10-08-1984 relates to his commission of fraudulent withdrawals of money for Rs. 250/-, Rs. 500/- and 25/- on 20-05-1982 and 24-05-1982 respectively from HSS A/c. No. 1261 of Miss Ratna Sarkar at Bank's Baranagar Branch by forging the signatures of the said depositor. Ultimately, it was decided to initiate the departmental enquiry against the concerned workman and he was issued with the chargesheet dated 14-04-1986 and after completion of a full-fledged departmental enquiry and giving him a personal hearing about the proposed punishment by the Disciplinary Authority, punishment of discharge from bank's service was inflicted upon him. According to the management the departmental enquiry in the instant case cannot be termed as improper as the delinquent employee was informed the charges leveled against him and he alongwith his defence representative participated in the enquiry proceedings, he was supplied with the report of the Enquiry Officer and proper hearing was also given to him about the proposed punishment to be inflicted. It is stated that it will be proved beyond doubt, if material evidence put forth in the departmental enquiry are noted upon that there is every reason on the part of the Bank management to lose confidence on the workman. Further case of the management is that the Enquiry Officer Shri S.M. Basu in the departmental enquiry totally erred in his findings dated 22-08-1986 and it was lopsided, partial and biased in as much as he failed to explain as to why and in what way the charges in the chargesheet could not be found to have been proved and in what way more sorts of circumstantial and corroborative evidence was to be produced by the Presenting Officer when 11 documents

and 5 witnesses had been produced and examined by him as against only one witness and virtually one consolidated documentary evidence of the defence representative. The said Enquiry Officer also failed to explain as to why the opinions of the two handwriting experts produced by the Presenting Officer could not be found reliable by him. By referring to the several documents and deposition of the witness it is stated that there are conclusive proof that the concerned workman committed the fraud in question. Management has denied all the claims and contentions of the workman in *seriatim*. It is submitted that the present order of reference and the claims of the union deserves to be rejected with cost by passing an Award in favour of the Bank holding that the action by the Bank was legal, proper and justified.

4. A rejoinder is also filed on behalf of the workman denying the claims and contentions of the management on its written statement and also reiterating the claims and contentions made on behalf of the workman in his statement of claims.

5. In this case both the parties have examined one witness each. On behalf of the workman the concerned workman Shri Amiya Kumar Sahu has been examined as WW-1. In his evidence he has stated that he joined the Bank on 20-01-1982 as a member of the sub-staff at Baranagar Branch. He has stated all the facts regarding his suspension, issuance of chargesheet to him and the departmental enquiry proceedings leading to his discharge from service and raising the present industrial dispute before the conciliation officer which are not in dispute. In cross-examination he has stated that he did not withdraw the amount for three instances from the account of one Ratna Sarkar. He denied that he had not given reply to the chargesheet or that his defence representative admitted the facts of the said withdrawal in the enquiry. He has also denied that there was sufficient evidence to prove the charges against him.

On the other hand the management has examined Shri S.M. Basu the concerned Enquiry Officer as MW-1. He has stated in his evidence that he knew the concerned workman against whom he held the departmental enquiry as an Enquiry Officer. The charge against the workman was defalcation of money. He has also stated that he had submitted his report which contains everything and as per his finding the charges against the workman were not proved. According to him he had conducted the enquiry after affording all the opportunities to both the sides in this regard. In cross-examination he has stated that he had given full opportunity to the management to prove the charges and file documents whatever they wanted.

6. Several documents have been exhibited on behalf of both the parties in this case. Documents exhibited on behalf of the workman are as follows. Ext. W-1 is a memo

dated 22/24-05-1985 issued by the Bank suspending the concerned workman. Ext. W-2 is the chargesheet dated 14-04-1986 issued by the Disciplinary Authority to the concerned workman. Ext. W-3 is the written argument on behalf of the workman submitted to the Enquiry Officer. Ext. W-4 is the concerned enquiry report submitted by the Enquiry Officer. Ext. W-5 is the memo dated 24-02-1987 issued by the Disciplinary Authority regarding appointment of Shri Rabiswar Banerjee as an Enquiry Officer to conduct de-novo enquiry against the concerned workman. Ext. W-5/1 is a memo dated 21-07-1998 issued by Shri S.R. Mitra, Enquiry Officer informing the workman that the de-novo enquiry is kept pending. Ext. W-6 is the memo dated 05-01-1996 issued to the workman informing him about the revocation of suspension order. Ext. W-7 is a letter dated 09-01-1996 written by the Regional Manager of the bank to the Baranagar Branch of the Bank regarding revocation of the suspension order against the workman. Ext. W-8 is the memo dated 14-04-1986 issued by the Disciplinary Authority regarding appointment of Shri S.M. Basu as the Enquiry Officer to conduct the enquiry in respect of the concerned workman. Ext. W-9 is a letter dated 07-06-1989 written by Shri M.M. Guha, Advocate addressed to Shri B.R. Bhattacharya, Advocate. Ext. W-10 is a letter dated 26-06-1989 written by Shri S.D. Chowdhury addressed to the Chief Manager, Central Bank and also to the Disciplinary Authority. Ext. W-11 is a memo dated 08-08-2002 issued by the Disciplinary Authority to the concerned workman. Ext. W-12 is a letter 21-08-2002 addressed to the Disciplinary Authority by the workman. Ext. W-13 is a memo dated 20-08-2002 issued by the Disciplinary Authority to the workman. Ext. W-14 is the judgment dated 26-08-2002 passed by the Hon'ble High Court at Calcutta in W.P. 12034(W) of 2002. Ext. W-15 is a memo dated 28-08-2002 issued by the Disciplinary Authority to the workman. Ext. W-16 is a letter dated 23-09-2002 written by the Disciplinary Authority to the workman. Ext. W-17 is minutes of personal hearing dated 23-09-2002 held by the Disciplinary Authority in respect of the proposed punishment. Ext. W-18 is the final order dated 26-11-2002 passed by the Disciplinary Authority against the workman. Ext. W-19 is the memo dated 26-11-2002 issued by the Regional Manager to the workman regarding imposition of punishment upon the workman. Ext. W-20 is the minutes of personal hearing conducted on 04-03-2003 by the Appellate Authority. Ext. W-20/1 is a letter dated 04-03-2003 written by the workman and his representative addressed to the Appellate Authority. Ext. W-21 is a letter dated 21-04-2003 written by the Appellate Authority to the workman. Ext. W-22 is the judgment dated 15-06-2004 passed by the Hon'ble Calcutta High Court in WP 7418(W) of 2003. Ext. W-23 to W-28 are the correspondences in respect of the conciliation proceedings held in this case. Ext. W-29 is the order dated 26-07-2002 passed by the learned XI Bench of the City Civil Court, Kolkata.

7. On behalf of the management following documents have been exhibited. Ext. M-1 is a letter of complaint dated 13-07-1982 written by Smt. Ratna Sarkar addressed to the Manager of the Baranagar Branch of the Bank. Ext. M-2 is the order dated 09-06-1989 passed by the Hon'ble Calcutta High Court in C.O.No. 8962(W) of 1987. Ext. M-3 and M-4 are the documents in respect of the conciliation proceedings held in this case. Ext. M-5 is the copy of H.S.S. A/c. No. 1261 of Smt. Ratna Sarkar. Ext. M-6 is the opinion of the Govt. Examiner dated 07-03-1986. Ext. M-7 is another opinion dated 05-08-1982 of Shri S.P. Sarkar, Document Analyst. Ext. M-8 is another opinion dated 23-07-1986 of Shri P. Chatterjee, Document Examiner. Ext. M-9 is the enquiry proceedings held against the workman on various dates. Ext. M-10 is written argument submitted by the Presenting Officer before the Enquiry Officer in this case. Ext. M-11 is the concerned withdrawal slips dated 20-05-1982, 25-05-1982 and 28-05-1982. Ext. M-12 is the application of the workman dated 05-08-1978 seeking employment in the Bank. Ext. M-13 is the specimen of handwriting of the workman. Ext. M-14 is the specimen signature card in HSS A/c. 1261 of Smt. Ratna Sarkar. Ext. M-15 is the confidential report dated 21-08-1982 of Shri D.K. Mukherjee, Deputy Chief Officer. Ext. M-16 is a letter dated 08-07-1987 written by Shri T.K. Majumder, Presenting Officer to the Disciplinary Authority regarding the de-novo enquiry against the workman.

8. On the persual of the aforesaid facts and evidence led by the parties it is evident that the workman has challenged the order of termination of his services on the basis of alleged enquiry held against him into the charges that he had forged the signature of one customer, Smt. Ratna Sarkar by fraudulently withdrawing an amount of Rs.250/- on 20th May, 1982, Rs. 500/- on 25th May, 1982 and Rs. 25/- on 28-05-2008 from her Savings Account No. 1261 maintained at Baranagar Branch of the Bank. He was chargesheeted and an enquiry was held against him by the Enquiry Officer, Shri S.M. Basu, Chief Officer (Law) of the Bank who recorded statements of the 3 witnesses produced on behalf of the management viz. S/Shri A.K. Chatterjee, Niharendu Dutta and D.K. Mukherjee who were officials of the Bank together with the statements of two handwriting experts viz. Assistant Government Document Examiner, Shri Amar Singh, MW-4 and another document Examiner, Shri S.P. Sarkar, MW-5 who were examined as such on its behalf. The workman had produced in his defence one witness viz. Shri P. Chatterjee as DW-1 to be a hand-writing expert who stated that the alleged withdrawal slips said to have been bearing the signatures of the workman, in fact, do not tally with the specimen writing of the workman and as such the charges framed against him could not be said to have been proved at all. The Enquiry Officer after having considered all the aforesaid evidence led before him during the enquiry made a detailed analysis of the entire evidence led by the parties including that of the

hand-writing experts Shri Amar Singh, MW-4, Shri S.P. Sarkar, MW-5 and another hand-writing expert Shri P. Chatterjee, DW-1 and gave a positive finding in favour of the workman holding him not guilty to the charges so framed against him vide his report, Ext. W-4. It was stated in so many words that "In view of what has been stated above in the absence of corroborative evidence I find that the charges in the chargesheet dated 14-04-1986 have not been proved against the chargesheeted employee Shri Sahu beyond reasonable doubt." The matter thereafter was placed before the Disciplinary Authority for further action to be taken thereof but according to the workman the said authority did not agree to the findings of the Enquiry Officer and out of alleged vengeance tried to get another Enquiry Officer appointed to enquire into the charges. The workman thereupon challenged the said de novo enquiry as ordered against him and filed a Writ Petition No. C.O. 8962(W) of 1987 before the Hon'ble High Court and obtained an order for stay. The Writ Petition was withdrawn by the workman and it has been submitted on his behalf that is was done so on the assurance of the Bank that they will not proceed with the de novo enquiry further. It has also come in the evidence that the workman had also filed a Civil Suit No. 1066/1989 in the Court of City Civil Court at Kolkata and obtained an order of interim injunction on 20-06-1989 and he was reinstated in service after revoking suspension order passed against him and this continued till the said suit had been dismissed under Order 7 Rule 11 of the C.P.C. by the Civil Court on 26-07-2002. Ext. W-29. It is also evident that the workman had also filed two writ petitions before the Hon'ble High Court at Calcutta i.e. 12034(W) of 2002 and 7418(W) of 2003 to challenge the disciplinary proceedings being taken against him and raising an industrial dispute in this regard. It is evident that both the writ petitions were ultimately dismissed on 26-08-2002. Ext. W-14 and on 15-06-2004, Ext. W-22. The Disciplinary Authority has issued Memo dated 28-08-2002 to the workman to show cause to the proposed punishment of discharge form service in pursuance of the order passed by the Hon'ble High Court and then the final order dated 26-11-2002 was passed him by the Disciplinary Authority vide Exts. W-18 and W-19. The Appellate Authority, Thereafter, also confirmed the order of the Disciplinary Authority by passing an order dated 21-04-2003, Ext. W-21 against the workman, who had challenged it before the Hon'ble High Court by filing the said Writ Petition No. 7418(W) of 2003 which was decided on 15-06-2004 on the preliminary objection regarding maintainability of the Writ Petition on the ground of availability of the remedy before the forums established under the Industrial Disputes Act. 1947 and thus the matter has come before this Tribunal for adjudication of the claim of the workman regarding legality and justification of the action of the management in discharging him from service of the Bank on the basis of the impugned orders so passed against the workman by the Bank Authorities vide Exts. W-19 and W-21.

9. Relying upon the aforesaid facts and the matter having been agitated by the workman before the Civil Court as well as before the Hon'ble High Court and the case being ultimately dismissed, it has been argued on behalf of the management that this reference is not legally maintainable and barred by Res judicata as well as by law of limitation as the dispute is being raised before this from after more than three years. This plea raised on behalf of the management, however, does not hold good as the workman had been agitating his claim before the concerned Courts seeking a legal remedy to challenge the orders passed against him for holding de novo enquiry even after a finding given in his favour being held not so guilty during the enquiry as it was so guilty during the enquiry as it was so conducted by the Enquiry Officer vide his report Ext. W-4 in this connection. The matter thereafter remained pending before various Courts between the parties and ultimately it had been referred to this Tribunal for its adjudication after the 'matter' was finally so disposed of by the Hon'ble High Court on 15-06-2004, Ext. W-22 holding that the claim of the workman could be looked into only by the Industrial Tribunal under the provisions of the Industrial Disputes Act, 1947 and as such there is no question of any bar of his claim on the ground of law of limitation or even on the plea of Res Judicata as it has been so raised on behalf of the management about the same.

10. The next point now remains to be considered regarding the merit of the claim of the workman who has challenged the order of his discharge as it has been so passed by the Disciplinary Authority and the Appellate Authority, Exts. W-19 and W-21 against him after having disagreed with the findings and report of the Enquiry Officer vide Ext. W-4. It is evident that the Enquiry Officer in this case had conducted a detailed enquiry against the workman after having framed three charges of fraud against him. He had also recorded the statements of the witnesses as it was so produced by the management as well as by the workman and after making a detailed analysis of the materials and evidence had found the charges so framed to be not so established against the workman. It is evident that the findings as given by the Enquiry Officer in his report, Ext. W-4 positively go to show that there had been no such material of evidence against the workman as it was so led by the management in this enquiry to prove the charges framed against the workman. The Disciplinary Authority and the Appellate Authority however did not agree to the same relying upon the reports of the handwriting experts as it was so examined by the management during the enquiry in this regard. No doubt both of them could very well have done it by so disagreeing with the findings of the Enquiry Officer but that must have been based and supported by a cogent evidence to rebut the positive findings of the Enquiry Officer as given by him his report, Ext. W-4 in this connection.

11. On the persual of the aforesaid facts and submissions it is also evident that there had been no direct evidence of any person who might have stated any such fact against the workman that he had personally seen him filling the withdrawal slips or presenting the same to the counter or for taking the amount personally as such from the Bank counter on the alleged three dates when the said fraud was said to have been committed by the workman. On the contrary, it has positively come in evidence that on one of the three dates of withdrawals when the alleged fraud had been so committed by the workman, i.e. 25-05-1982 he had not even come to the office. The account holder, Smt. Ratna Sarkar it is evident herself did not give any such evident personally against him. She also did not give her own specimen handwriting as such so that the same could also be compared by the experts examined in this regard to show that the amount in fact which was so withdrawn from her account had not been so withdrawn by she herself at all. Thus the only evidence what is so remained against the workman are the reports of the handwriting experts as it had been so filed by the management viz. reports of Shri Amar Singh, MW-4 and Shri S.P. Sarkar, MW-5 in this regard. Both the experts had stated that they were of the opinion that the person who had wrote the standard writings marked A-1 and A-2 did not so write the questioned signatures on the ground of Basic differences in the handwriting Characteristics of the two. Shri Amar Singh, MW-5 had stated that the person who wrote the standard writings S-1, S-2 and A-3 had also written the questioned writings Q-1 to Q-13 and they show similarity in the handwriting characteristics in both general as well as individual features of the same. The discrepancy in his report were however pointed out by the defence in the cross-examination as put to him and it was admitted by him saying that "The opinion does not contain the detailed Analysis regarding the aspects of similarities and dissimilarities as appearing in the Questioned and Standard Hand Writings." He also admitted that a letter from the Zonal Office of the Bank had been sent to him and so received by him and it was written therein that "On the basis of the investigation we suspect that one Shri A.K. Sahu, Sub-staff in our Branch forged the signature of Smt. Ratna Sarkar on the withdrawal slips and fraudulently withdrew the amounts-as aforesaid. However, to arrive at the definite conclusion, we need the opinion of handwriting expert." The statement given by another expert who had been examined by the management viz. Shri S.P. Sarkar, MW-5 during the enquiry also go to show that in his cross-examination he had also conceded that he had not commented upon anything regarding pen position, pen pressure, shedding, alignment and size of the letters and other characteristics of the writings as it had been so compared by him in this regard. Some of the

other discrepancies which were so pointed out in his report, Ext. M-7 during the cross-examination also clearly go to show that the report as it was given by him could not be such a conclusive report from every point of view that it must be so read against the workman to show beyond all doubt that they all bear his own handwriting on all the three withdrawal slips so used by him and which is the basis of charge of this forgery so committed by him to make a fraudulent transaction on behalf of the account holder, Smt. Ratna Sarkar as it is so alleged against him.

12. The handwriting expert examined on behalf of the workman, i.e. Shri P. Chatterjee, DW-1 in this connection had also given his report, Ext. M-8 after having made a detailed analysis of the papers and after having examined all the aforesaid documents and he had clearly found and marked the points of dissimilarity in the two writings, i.e., questioned documents with the specimen writings of the workman concerned. He gave a clear and definite finding about the disputed writing by saying that the disputed writings on the three withdrawal slips marked Ext. M-11 collectively were definitely not so written by the workman concerned. The findings as given by him about it in the report Ext. M-8 and the statement so given by him during the enquiry have made this aspect of the matter very much clear to show the basic difference which goes at the very root of the matter and the charge so framed against the workman. It says that—

“On inter-se comparison between the writings of Smt. Ratna Sarkar, I find that the signatures on the W/slips and S/card show upward alignment to the right, whereas on 13-7-82 the alignment is just reverse. It is strange thing when all the signatures were written on white paper (i.e., not on ruled paper). Moreover, the over-writings on the letter ‘‘s’’ of 13-7-82 writings is too much suspicious. The consistency is present between the signatures dated 26-10-81 & 27-9-75, but is absent in 13-7-82 signature.

On inter-se comparison between the disputed signatures, I am satisfied that all the signatures show good normal variations. According to the authority, if there are good natural variations in between the disputed signatures, it strongly suggest genuineness. As a matter of fact, it is a practice that forgerer will try to forge signatures from a common model. It will be a gigantic task for him to copy so many signatures from so many models. There are some peculiar spelling mistakes such as, “Thwity” “Hurbedess” in all 3 W/Slips. The writings show very poor. Practically all the letters and figures were written separately. Naturally, the speed is also very slow. It is also unusual that inspite of some over-writings in all the 3 W/Slips, all have been usually passed for payment in usual course. Most of the writings are written on base lines.

On actual comparison between the disputed writings with the writings of A.K.Sahu, I find the following similarities such as, operation of “f”, looping operation of “d”, shoulder of “n”, pentwisting at first shoulder of “r”, operation of “s”, loop of “e” retracting at the top of “Y”. All the said agreement with the writings dated 5-8-78 only. I find differences in the entire operation of “self”, “only”, “thirty, fifty, twenty”, entire operation and combination of “Five”, combination of figures “500”, nature of the strokes after figures (amount), axis of figure & letter “O”. There are good similarities between the request writings and the body-writings of the disputed W/slips. As they were taken in unusual manner, I have not considered them.”

13. Thus, there are reports of the handwriting experts on either side in support of their respective positive claims and contentions as it has been raised in this regard. There is no direct evidence adduced by the management in this connection at all to prove the charges by any other piece of corroborative evidence to prove the charges. The opinion of a handwriting expert as it has been held by the Hon’ble Apex Court in *Murarilal v. State of Madhya Pradesh* (AIR 1980 SC 531) and in other number of cases go to show that an expert may go wrong because of some defect of observation, some error of premises or honest mistake of conclusion. In *Ishwari Prasad v. Mohammad Isa* (AIR 1963 SC 1728) it has been also held by the Hon’ble Apex Court that expert evidence of hand-writing can never be a conclusive evidence because it is, after all, an opinion evidence only. This had been reiterated in other case of *Sashi Kumar v. Subodh Kumar* (AIR 1964 SC 529) where it has been observed that expert evidence as to hand-writing being just an opinion evidence it can rarely, if ever, take the place of substantive evidence and so before acting on such evidence, it would be desirable to consider whether it is so corroborated either by a clear direct evidence or by circumstantial evidence as well, as the case may be. The science of identification of handwriting is not so perfect unlike the science of identification of thumb impression, which is no doubt an exact science and so it does not admit of any mistake or doubt [AIR 1979 SC 1708 (*Jaspal Singh v. State of Punjab*)]. In this case it is evident that no thumb impression had been so taken for its examination but as the case is that this report is only based on the examination of handwriting and signature of the workman and this could not be so perfect and conclusive to prove the charges so framed against him that it was he who had actually so withdrawn the amount through the said withdrawal slips by not producing the pass book thereof on behalf of the actual account holder Smt. Ratna Sarkar who did not herself gave any such statement against him nor she herself gave her own specimen writing to prove this fact to be otherwise as it is so contended about it by the management in this connection.

14. In view of that factual aspect of the matter and evidence so adduced in this case, it is evident that there is no direct evidence of the customer Smt. Ratna Sarkar herself so examined by the management in this enquiry since her whereabouts were not known to it as per its report, Ext. M-16. Also there is no direct evidence of any Bank official as such to be thereagainst the workman that he had seen him so collecting the amount personally in the Bank from the Cashier on the said three dates when the alleged withdrawals had been so made by the concerned workman in this regard. On the contrary it has come in the evidence positively that on one of the three dates admittedly the workman had not been personally so present in the office of the Bank so that he could be directly said to have been personally so involved for the commission of fraud as it is so alleged by the management against him. The findings given by the Enquiry Officer in this connection is quite definite and positive one and after analyzing full evidence and material which were so placed before him by the management. It can not be said that it was not based on facts or legal evidence or said to be perverse so that it could have been interfered at all by the Disciplinary Authority or even by the Appellate Authority to negative the findings of the Enquiry Officer. The report of the handwriting experts as it had been so examined by the management had also been considered by the Enquiry Officer himself in his report Ext. W-4 for the same. The evidence of handwriting experts as it was so filed on behalf of the management was just an opinion of the expert and by itself it could not be the sole basis of proof of the charges as substantive piece of evidence against the workmen so as to hold him guilty on that ground and basis alone. There had been no other direct evidence or circumstantial evidence of the management to prove all these charges against the workman so as to connect him with the alleged act of making withdrawal of the amount from the account of Smt. Ratna Sarkar vide withdrawal slips, Ext. M-11 in this connection. The categorical finding of the Enquiry Officer vide his report, Ext. W-4 shows that the charges so framed against the workman were not proved and the workman concerned had not been guilty for it. It is evident that the whole object of holding a domestic enquiry against a delinquent workman by the Enquiry Officer is to decide upon the facts and merits of the dispute as it is so referred to him. The report of the Enquiry Officer may be rejected or held to be vitiated where the Enquiry Officer acts mala fide, i.e., ignores or excludes from consideration vital and material piece of evidence or takes into consideration any irrelevant or extraneous material or where he transgresses the rules of natural justice and none of it so attributed to him in his regard to challenge the report at all. There is no such allegation or fact said against the Enquiry Officer so as to vitiate his findings as it is so given

by him in his report, Ext. W-4 so as to say it to be perverse or based on extraneous consideration. Both the Disciplinary Authority and the Appellate Authority in this connection did not consider the material facts as it was so placed during the enquiry to rebut the findings of the Enquiry Officer to hold the workman to be not guilty. They had only relied upon the report of the handwriting experts as it were so examined by the management ignoring the material discrepancies in their reports and evidence given for the same. They appear to have been very much influenced by the report of the Vigilance Department which they had not been so placed during the enquiry so that the workman could have an occasion to challenge and rebut the same in this connection. The past record of the workman and his admitted absence from the office on one of the three dates of the alleged commission of fraud had also not been looked into so as to rebut the claim of the workmen in this regard. The findings as such which was given by the Enquiry Officer in his report, Ext. W-4 finding the workman to be not guilty could not be assailed as such by both the Disciplinary Authority and the Appellate Authority. It is evident that there is no material evidence against the workman at all to hold him guilty of the three charges so framed against him for commission of fraud by the workman concerned who was already exonerated as such by the Enquiry Officer as per his report Ext. W-4 after holding a proper and legal enquiry which could not be assailed or held to be otherwise by the Disciplinary Authority and the Appellate Authority in view of the facts and circumstances of the case. The workman as such could not be held guilty to the charges so framed against him and the impugned orders dated 26-11-2002 and 21-4-2003, Ext. W-18 and W-21 passed against the workman concerned by the Disciplinary Authority and the Appellate Authority deserves to be set aside. The workman deserves to be reinstated in service with full back wages and all other consequential benefits available to him in this regard.

15. So, upon consideration of the facts and circumstances of the case, evidence on record and the position of the law in the matter, I am to hold that the action of the management of Central Bank of India, 206 A.P.C. Road, Kolkata -700004 in discharging the services of Shri Amiya Kumar Sahu, Sub-staff of Baghmore Branch under R.O. North Kolkata is illegal and unjustified. The concerned workman is entitled to be reinstated in service from the date of his illegal discharge from service along with full back wages and all other consequential benefits.

The reference is answered accordingly.

Dated, Kolkata,
19th June, 2008.

C. P. MISHRA, Presiding Officer

नद दिल्ली, 30 जून, 2008

का. आ. 2002.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार सिंडिकेट बैंक के प्रबंधतंत्र के संबंद्ह नियोजकों और उनके कर्मकारों के बीच अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण धनबाद के पंचाट (संदर्भ सं. 98/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-06-2008 को प्राप्त हुआ था।

[फा. सं. एल-12011/75/2003-आई.आर.(बी-1)]

एन. एस. बोरा, आर्थिक अधिकारी

New Delhi, the 30th June, 2008

S.O. 2002.—In pursuance of Section 17 of the Industrial Disputes Act, 1947(14 of 1947), the Central Government hereby publishes the Award (Ref. No. 98/2003) of Central Government Industrial Tribunal-cum-Labour Court-II, Dhanbad as shown in the Annexure, in the Industrial dispute between the management of Syndicate Bank, and their workmen, received by the Central Government on 30-06-2008.

[F. No. L-12011/75/2003-IR(B-1)]

N. S. BORA, Economic Officer

ANNEXURE

TRIBUNAL (NO. 2), SHRAM BHAWAN, MURLINAGAR, DHANBAD

PRESENT

Shri Nagendra Kumar, Presiding Officer

In the matter of an Industrial Dispute under
Section 10(1)(d) of the I.D. Act, 1947

Reference No. 98 of 2003

PARTIES Employers in relation to the
management of Syndicate Bank
And
their workmen.

APPEARANCES

On Behalf of the Employers : Mr. Rajesh Kr. Sinha,
Manager (P)

On Behalf of the Workmen : Sri P. Choudhary, State
Secretary, SBEU.
Representative workman

State : Jharkhand Industry: Coal

Dated, Dhanbad, the 9th June, 2008.

AWARD

The Government of India, Ministry of Labour in
exercise of the powers conferred on them under Section

10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No.L-120 11/75/2003-IR(B-1) dated 9-09-2003.

SCHEDULE

"Whether the action of the management of Syndicate Bank, in not regularising the services of Sh. Amar Kumar in Syndicate Bank is legal and justified ? If not, to what relief he is entitled ?"

The record is put up in the Lok Adalat. Both the parties named above are present and files a settlement petition under their signature. Perused the settlement petition and heard both side. The settlement appears to be fair, proper and in accordance with the principle of natural justice. Accordingly the said settlement petition is accepted and an Award is passed in terms thereof which forms part of the Award as annexure.

NAGENDRA KUMAR, Presiding Officer

FORM - H

Memorandum of Settlement arrived at Under Section 12(3) of the Industrial Dispute Act, 1947 between the Management of Syndicate Bank and their workmen represented by Syndicate Bank Employees Union before the Presiding Officer, Central Government Industrial Tribunal No. 2, Dhanbad on 9-6-2008.

Parties to the Settlement:

Representing the Management

Sri Rajesh Kumar Sinha
Manager (P)
Syndicate Bank
Regional Office, Patna

Representing the Union/Workman

Sri Prabhat Choudhary,
State Secretary
S. B. E. U.
Bihar State Committee

Short Recital of the Case

The State Secretary, SBEU , Bihar State Committee had raised an industrial dispute over alleged denial of regularization of Sri Samarnath Singh and 08 others Attenders / PTS working in different branches of Syndicate Bank and the matter was referred for adjudication in this Tribunal. In course of hearing both the parties agreed to settle the dispute on the following terms:

TERMS OF SETTLEMENT

It is agreed between both the parties that:

(1) The following Attenders and Part Time Sweepers have been regularized from the date mentioned against their names:

S. No.	Case No.	Name of the Candidates	Date of Regularisation	Regularised as & posted to Branch
1.	25/2003	Sri Samarnath Singh	15-2-2007	Attender, Patna Bailey Road
2.	97/2003	Sri Mani Shankar Das	15-2-2007	Attender Darbhanga GBPS
3.	98/2003	Sri Amar Kumar	15-2-2007	Attender, TCD Muzaffarpur
4.	103/2003	Sri Sunil Kumar	2-12-20007	PTS, Siwan
5.	104/2003	Sri R. C. Uraon	2-4-2007	PTS, Patna
6.	105/2003	Sri P. K. Rout	2-4-2007	PTS, Hajipur
7.	107/2003	Sri Sushil Kr. Ojha	25-11-2005	Attender Danapur Main
8.	109/2003	Sri Ramji Prajapati	15-2-2007	Attender Patna

(2) The Union does not want to contest the case of Sri Pramod Kumar Chaudhary, Case Ref. No. 106/2003 as the management has already issued the appointment order and he has not joined the Bank so far.

(3) The Union has requested for inclusion of temporary service of Attenders/Part Time Sweeper into permanent service of the Bank in tune with the understanding reached with the management held at Manipal on 1.3rd. Sept, 1983 as well as the provision of the Bipartite Settlement in this regard.

The management agreed to look into the matter as per the guidelines of the Bank.

Signed by :

Representing the Management

Rajesh Kumar Sinha
Manager (P)
Syndicate Bank
Regional Office, Patna

Representing the Union/Workmen

Prabhat Choudhary,
State Secretary, S. B. E. U.
Bihar State Committee

नई दिल्ली, 30 जून, 2008

का. आ. 2003.—औद्योगिक विवाद अधिनियम, 1947 (1947 का। 14) कीधारा 17 के अनुसरण में, केन्द्रीय सरकार पंजाब नैशनल बैंक के प्रबंधतत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में सिद्धिस्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय न. 2, नई दिल्ली के पंचाट (संदर्भ संख्या 45/1997) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-6-2008 को प्राप्त हुआ था।

[फा. सं. एल-12011/1/1996-आई आर (बी-II)]
राजिन्द्र कुमार, डेस्क अधिकारी

New Delhi, the 30th June, 2008

S. O. 2003.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central

Government hereby publishes the Award (Ref. No. 45/1997) of the Central Government Industrial Tribunal-cum-Labour Court No 2, New Delhi, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Punjab National Bank, and their workmen, which was received by the Central Government on 30-6-2008

[F. No. L-12011/1/1996-IR(B-II)]

RAJINDER KUMAR, Desk Officer

ANNEXURE

BEFORE THE PRESIDING OFFICER : CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, NEW DELHI

PRESIDING OFFICER : R. N. RAI I.D. NO. 45/1997

IN THE MATTER OF:

The General Secretary,
Punjab National Bank workers Organisation,
898, Nai Sarak,
Delhi-110006.

Versus

The Chief Personnel,
Punjab National Bank,
H. O. Bhikaji Cama Place,
New Delhi.

AWARD

The Ministry of Labour by its letter No.L-12011/1/96-IR (B-II) Central Government Dt. 9-4-1997 has referred the following point for adjudication.

the point runs as hereunder :—

“Whether the action of the management of Punjab National Bank in effecting their circular letter No. 43/94 dated 12-12-1994 (new fitment formula) for fixing basic pay of ex-servicemen employees and recovering of excess amount paid w.e.f 13-3-1992 is legal and justified? If, not to what relief are the workmen entitled and since what date.”

The workman applicant has filed claim statement. In the claim statement it has been stated that the management of Punjab National Bank, hereinafter referred to as 'PNB' vide its circular No. 43/94 dated 12th December, 1994 issued the instructions regarding Pay Fixation of Ex-Serviceman re-employed in Public Sector Banks as Award Staff. Photostat copy of the Circular is attached to this statement of claim and marked as Annexure-1. The relevant part of the Circular is reproduced for ready reference.

The PNB decided to effect the provision of this circular in the following manner :—

The pay fixation of all servicemen working in the Bank in special allowance carrying post be re-fixed.

In cases of excess payment, the recovery be waived for the period till 13-3-92.

The ex-servicemen who joined on or after 13-3-92, such excess payment on account of refixation of pay, be recovered.

Thus the recovery was to be made in all cases w.e.f. 13-3-93.

In Banking Industry, the Pay fixation/revision is being done on the basis of Settlements entered into between the workmen and the management. Prior to these settlements, the salary and other terms and conditions were fixed by Awards, popularly known as Sastry Award and Desai Award. The Special Allowances, which are being paid to the workmen is clerical and subordinate cadre right since the beginning from part of different section of the Settlement separate from the Basic Pay and the Dearness Allowance. Not only that, this position is categorically made clear in Award/Settlement itself. The very first Bipartite Settlement in the Banking Industry which was entered into on 19-10-66 says as :—

Clause 5.6 of BPS dated 19-10-66

"The special allowances prescribed above are intended to compensate a workman for performance or discharge of certain additional duties and functions requiring greater skill or responsibility, over and above the routine duties and functions of a workman in the same cadre.

Clause 5.2

In supersession of paragraph 5.282 of the Desai Award the Special allowance payable to workmen other than the members of subordinate staff, for duties/ responsibilities as listed in Part I of Appendix 'B' shall be as follows.

Clause 5.3

In supersession of paragraph 5.326 of the Desai Award the Special Allowances payable to Members of subordinate

staff, for duties/responsibilities as listed in Part-II of Appendix 'B' hereto, shall be as follows :

That there is no such provision in the Settlement Award to merge the special allowance into Basic Pay of only a group of employees, the action of the 'PNB' is against such provisions and bad. The posts that carry special allowance, particularly Armed Guard/Watchman/ Stenographers etc. mentioned in the circular dated 12-12-94 are listed in the special allowances part of the Settlement which says that these allowances are intended to compensate workmen for discharging certain additional duties. Consideration of this aspect has been properly done at Bank's level and accordingly the Pay has been fixed taking into account the Basic Pay and Dearness Allowance only and not the special allowance for the last more than 30 years in the Banking Industry.

Such discrimination is a violation of Article 14 and 16 of the Constitution.

If this new instruction is allowed to be implemented then the wage structure would be arbitrarily affected those ex-servicemen who would not get any special allowance post and those who would get different allowance posts. If two Armed Force Servicemen after retirement are posted in the Bank whose last drawn wages are same at the time of retirement, and if one is posted on special allowance post of stenographer and another one in general clerical cadre, then result will be that one despite working and discharging highly skill/responsibility would get the same salary as another one. On the other hand all the employees in entire Banking Industry who perform the special allowances duties are paid special allowances over and above the general employees for discharge of such duties.

Such arbitrary and unilateral decision on the part of the PNB as well as the Government of India is bad in the eyes of law and against the principles of natural justice and a violation of the Art 14 and 16 of the Constitution of India.

The Bank's contention in implementing this circular as is explained with the Assistant Labour Commissioner (C) New Delhi, is "the bank has to abide by the instructions as communicated by the Government and follow the same. There is no force in this contention as the circular issued by the Bank on the basis of any such instructions is illegal and unjust.

It is therefore prayed that this Hon'ble Tribunal may be kind enough to determine the reference in favour of the workmen and issued the following directions:

The said circular No. 43/94 dated 12-12-94 be withdrawn by the PNB.

The fixation of the salary of the Ex-Servicemen be done as per the practice and the directions as were followed

earlier viz. the salary of the ex-servicemen be protected taking into the account the Basic Pay plus the Dearness Allowance.

The treatment of Special Allowances be done as per the provisions of the Bank's settlement and at par with the other employees placed under the similar situation of working on special allowance posts.

The Management has filed written statement. In the written statement it has been stated that the fixation of salary of ex-servicemen who are reemployed in the banks after their release from defence services is done on the basis of instructions issued by the Government of India from time to time. These instructions were communicated to the Bank by the Ministry of Finance through Indian Banks Association which were circulated by the Bank vide Personnel Division Circular No. 953 dated 21-8-1986. Government has advised that the pay fixation of ex-servicemen would be done through protection of Pay+ DA drawn by them at the time of retirement/release from the Armed Forces. It was further stated that Pay+DA drawn by ex-servicemen in defence force would be protected with Pay+DA in the bank i.e. Basic Pay in the Bank's pay scale would be fixed/arrived at after deducting DA admissible in the bank from the aggregate of Pay+ DA drawn by the reemployed ex-servicemen at the time of release from the Armed Forces. These instructions were issued by the Govt. in 1986 and were followed by the bank in letter and spirit.

Later it was intimated vide letter dated 13-3-1992 of Indian Banks Association that the Government of India, Ministry of Finance (Banking Division) desired that it be clarified to all the banks that it would be necessary to ensure that the Basic Pay+DA+Special allowance for Armed Guards/Watchmen are taken into account while protecting the last drawn pay (Basic Pay and D.A. thereon) at the time of retirement/discharge from the service of Armed Forces as the special allowance is in the nature of basic pay. It was further stated that the protection of pay as above (i.e. with special allowance component) would also be relevant if the ex-servicemen are recruited as stenographers and for any other special allowance carrying posts in clerical/subordinate grades).

On 8th of September, 1993 as a result of references from a number of banks, Indian Banks Association considered the issue in the Personnel Committee of the Association and after discussing the issue at length and taking into consideration the practical difficulties that banks encountered in making re-fitment and recovery thereof decided that clarification given vide letter dated 13-3-1992 may be made applicable w.e.f. prospective dates and also with recoveries that may arise on account of re-fixation of pay. The Personnel Committee was of the view that the matter may be taken up with the Government with request

to allow waiver of recoveries that may arise on account of such re-fixation of pay. Accordingly, the matter was taken up with Ministry of Finance, Government of India and the Government conveyed their approval on the following lines.

A copy of letter dated 8-9-93 of Indian Banks Association is enclosed as Annexure 'C'. Clause 9 (II) as stated above of the approval of Government had created certain confusion and accordingly vide letter dated 10-11-1994 Indian Banks Association clarified that they had taken up the matter with the Government as regards recovery of excess payments made after 13-3-1992. It was further stated that the Government has since confirmed that recovery of excess payments made is to be waived only upto 13-3-1992 and the recovery is to be made after 13-3-1992. A copy of letter dated 10-11-1994 of Indian Banks Association is enclosed as Annexure 'D'.

The above guidelines are uniform for all public sector banks and are not only for PNB. As such, bank has not acted arbitrarily as alleged, rather has acted in accordance with the guidelines received from the Government through IBA. Thus, the union cannot raise the issue of protection of pay of ex-servicemen which does not find place in the servicemen staff, hence the terms of reference is bad both in law and on facts. Thus the alleged dispute is not maintainable.

It is true that the special allowance particularly of Armed Guards, Watchmen, Stenographers, etc. as referred in the circular dated 12-12-1994 are listed in the provisions of Bipartite Settlement which are intended to compensate the workmen for discharging certain additional duties attached to the relevant special allowance carrying posts. However, it will not be out of place to state that bank in the matter of fitment of salary of ex-servicemen is acting as per the guidelines given by the Government received through Indian Banks Association from time to time. It is also vital to state that bank has not taken away payment of special allowance to the above mentioned categories of special allowance posts, rather bank has considered the special allowance component also for pay fixation of ex-servicemen for the reason that special allowance is in the nature of basic pay. Presently it attracts dearness allowance and other benefits. Even otherwise the fixation of salary of ex-servicemen is done with a view to allow them the emoluments which they were drawing at the time of discharge from the defence forces and not to allow them anything over and above that.

The ex-servicemen re-employed as Armed Guards are in the nature of special allowance carrying posts in the clerical and subordinate cadres which continue to get the special allowance as per provisions of the Bipartite settlement. No discrimination as alleged has been caused to any of the ex-servicemen re-employed in the bank. The

matter regarding fixation of salary and payment or non-payment of special allowances are entirely two different issues and cannot be clubbed.

By implementing the clarification issued by the Government there is no effect on the wage structure of the bank employees. It is reiterated that bank is required to protect the last pay drawn by the ex-servicemen at the time of their release from the armed forces as against the basic + dearness allowance + special allowance drawn by them on re-employment in the bank. It will also be pertinent to state that the union is alleging that the decision given by the Government of India is bad in the eye of law. The example cited by the union is of no relevance as the issue involved is not of payment or non-payment of special allowance but is of following the employees the emoluments but is of allowing the employees the emoluments which they were drawing at the time of discharge from the defence forces.

The workmen applicants have filed rejoinder. In the rejoinder they have reiterated the averments of their claim statement and have denied most of the paras of the written statement.

The management has also denied most of the paras of the claim statement.

Evidence of both the parties has been taken.

Heard argument from both the sides and perused the papers on the record.

It was submitted from the side of the workmen that the special allowances was given in view of Clause 5.6 of the BPS dated 19-10-1966. Special allowance was prescribed to compensate the workman for performance discharge of certain additional duties and functions requiring greater skill/responsibility over and above the routine duty and functions of a workman in the same cadre.

In Clause 5.2 and 5.3 there is mention of special allowance for additional and skilled duties performed by the ex. servicemen.

It was further submitted that the pay of ex-servicemen has been fixed in view of the above BPS for more than 30 years. That by circular dated 12-12-1994, the pay has been re-fixed taking into account the basic pay and DA only and not the special allowance for the last more than 30 years in the Banking Industry. The change in re-fixation of salary of ex. servicemen as per the new circular resulted in discrimination between the employees and violated Article 14 & 16 of the Constitution.

The wage structure has been disturbed arbitrarily on the part of the PNB.

It was further submitted from the side of the management that the government advised that the pay fixation of ex-servicemen would be done through protection of pay + DA drawn by them at the time of retirement from the armed force.

It was further submitted that the pay + DA drawn by ex-servicemen in defence forces would be protected with pay + DA in the bank. The basic pay in the banks pay scale will be fixed and arrived at after conducting DA admissible in the bank from the aggregate of pay + DA drawn by the reemployed ex-servicemen at the time of retirement from armed forces.

It was submitted that in view of the directions of the government the Personnel division vide letter dated 25-12-1994 issued guidelines for re-fixation of pay of ex-servicemen re-employed in Public Sector bank as ward staff.

It transpires from perusal of the record that the bank issued Circular dated 12-12-1994 mentioning in the Circular as hereunder:

- A. The pay fixation of all ex-servicemen who have joined the bank in special allowance carrying post prior to 13-3-1992 be re-fixed by re-opening their case but recovery of excess payment, if any, made to them up to 13-03-1992 may be waived.
- B. The pay fixation of all ex-servicemen who have joined the bank on or after 13-3-1992 be re-fixed by re-opening their cases but excess payment, if any made to them, be recovered.

According to the Circular the pay of ex-servicemen made who have joined the bank in special allowance carrying post prior to 13-03-1992 is to be re-fixed by re-opening their cases but recovery of excess payment up to 13-3-1992 is to be waived.

It has been also mentioned that the pay of those ex-servicemen who joined the bank on or after 13-3-1992 is to be re-fixed by re-opening their cases. So far as part B of the circular is concerned it cannot be said that any injustice would have been caused to the ex-servicemen as the circular is dated 12-12-1994 and excess payment is to be recovered after 13-3-1992 only. So far as part A of the circular is concerned the pay of all ex-servicemen is to be re-fixed who joined prior to 13-3-1992.

The bank acted on the circular of the government dated 21-8-1986. It was communicated to the bank by M/o. Finance through Indian Bank Association which were circulated by the bank by Personnel Division No. 953 dated 21-8-1986. the Bank received the direction of the government on 21-8-1986 but no action was taken till 12-12-1994. The bank has given guidelines to re-fix the

salary of pay of ex-servicemen who have joined prior to 13-3-1992. When the bank received the instructions of the government on 21-8-1986, the bank was duty bound to comply with the direction of the government but the bank was silent for about eight years and after extra-ordinary delay of eight years, the salary of those ex-servicemen who joined on 21-8-1986 is to be re-fixed. Such retrospectively fixation is illegal and arbitrary. The Bank has circulated guidelines on 12-12-1994 and date 13-3-1992 is mentioned. The Bank has acted negligently in not complying with the directions of the government dated 21-8-1986; the same cannot be enforced after a gap of long eight years. The ex servicemen received their wages on the basis of settlement of their wages in lieu of various provisions of BPS.

The benefits once conferred on workmen in compliance of the provisions of the BPS, cannot be arbitrarily taken away by a Circular dated 12-12-1994 and refixation cannot be done after a lapse of almost eight years.

From perusal of the record it transpires that by the above circular the pay fixation of armed guard who joined the bank prior to 13-3-1992 has been re-fixed by reopening their case but recovery of excess payment if any made to them may be waived after 13-3-1992.

The workman has challenged the re-opening of their cases for re-fixation. The pay of the ex-servicemen have been fixed in view of the several BPS in this behalf. The ex-servicemen have been drawing their salary in view of fixation of their pay according to the settlement of the banks. It cannot be said that these ex-servicemen employed prior to 13-3-1992 have been made payment wrongly inadvertently.

The re-fixing of pay of the ex-servicemen who joined prior to 13-3-1992 is not justified. It cannot be said that payment to them has been made due to inadvertence. It is not the case that the pay of ex-servicemen who joined prior to 13-3-1992 has been fixed in violation of certain provisions of the BPS. The ex-servicemen were getting the emoluments in view of the settlement. Re-opening of the case will amount to enforcing the guidelines retrospectively. There may be workmen who have been receiving the amount and have maintained their life according to the salary being paid to them. Enactments of Parliament in rare cases are retrospective. The ex-servicemen willingly accepted the job in the bank after their discharge from military services in view of the pay and allowances admissible to them under several BPS.

The facilities extended to them in view of settlement cannot be withdrawn abruptly and retrospectively by the guidelines of the PNB dated 12-12-1994.

The Government direction dated 13-3-1992 for re-fixation should be made effective from 13-3-1992 alone. It should not be enforced retrospectively. The recovery made by the bank from the employees who sought employment of the bank prior to 13-3-1992 is absolutely unjustified, illegal and arbitrary. Government instructions should be implemented prospectively and not retrospectively. The re-fixation of Pay of those ex. Servicemen made who were employed prior to 13-3-1992 is not justified by any stretch of imagination. They have been maintaining themselves on higher emoluments. Thus, emoluments cannot be freezed by instructions of any Government.

The workmen were given allowance at the time of their joining and in view of the special allowance the workmen resumed their work under the management and they have been drawing those emoluments up to 13-3-1992. The action of the management in re-fixing their salary from the date of Circular of the Government i.e. 21-7-1986 is illegal. The benefits once conferred of a statute or provisions cannot be taken away retrospectively after lapse of 8-10 years. The workmen who joined the management as ex-servicemen are entitled to retain their salary fixed in view of the BPS. The management should restore their previous pay and repay the deductions already made. However, the management is at liberty to recover excess payment made by re-fixing the pay of those ex-servicemen who joined on or after 13-3-1992.

The reference is replied thus:

The action of the management of Punjab National Bank in effecting their circular letter no.43/94 dated 12-12-1994 (new fitment formula) for re-fixing basic pay of ex-servicemen and recovering of excess amount paid w.e.f. 13-3-1992 is neither legal nor justified. The Bank may recover excess amount of those ex-servicemen who joined on or after 13-3-1992. The pay of ex-servicemen who joined on or after 13-3-1992 may be re-fixed in view of the Circular of the government dated 21-07-1986. The management has illegally re-fixed the pay of those ex-service men who joined prior to 13-3-1992. The management should restore the pay scale of those ex-servicemen as they were getting from their initial engagement and deductions if any made in view of the Circular dated 12-12-1994 is illegal. The management should restore the pay scale and re-pay the deducted amount from the pay of the ex-servicemen who joined prior to 13-3-1992 within two months from the date of the publication of the award.

The award is given accordingly.

Date: 26-6-2008

R. N. RAI, Presiding Officer

नई दिल्ली, 30 जून, 2008

का.आ. 2004.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार आल इंडिया रेडियो के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली नं. 2 के पंचाट (संदर्भ संख्या 66/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-6-2008 को प्राप्त हुआ था।

[फा. सं. एल-42012/265/2001-आईआर(सीएम-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 30th June, 2008

S.O. 2004.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 66/2002) of the Central Government Industrial Tribunal/Labour Court No. 2, New Delhi as shown in the Annexure in the Industrial Dispute between the management of All India Radio, and their workman, received by the Central Government on 30-6-2008.

[F. No. L-42012/265/2001-IR(CM-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE THE PRESIDING OFFICER: CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT-II, NEW DELHI

PRESIDING OFFICER : R. N. RAI

I. D. NO. 66/2002

IN THE MATTER OF:

Sh. Lekh Raj,
C/o. Janvadi General Kamgar Mazdoor Union,
C/o. E-26 (Old Quarters), Raja Bazar,
Baba Kharak Singh Marg,
New Delhi-110001.

-Claimant

VERSUS

The Superintending Engineer (Training),
All India Radio,
Soochna Bhawan, Lodhi Road,
New Delhi-110003.

-Respondents

AWARD

The Ministry of Labour by its letter No. L-42012/265/2001-IR(CM-II) Central Government dated 09-08-2002 has referred the following point for adjudication:

The points runs as hereunder :—

"Whether the action of the management of All India Radio, New Delhi in not regularizing the services of Sh. Lekh Raj from the date of his initial appointment is legal and justified? If not, to what relief he is entitled to."

The case of the workman is that he was initially employed as Peon as daily wages w.e.f. 11-05-1993 under the above management and worked continuously and his wages were paid directly up to 03-12-1993 and thereafter through Padma Enterprises.

That the workman performed his duties w.e.f. 11-05-1993 and completed more than seven years. He has performed his duties continuously under the supervision of the management without any break as per section 25 B of the I.D. Act, 1947 so, he is entitled to be granted permanent status and regularization from the date of his initial engagement.

That he has performed 8 hours duty and he has not been made equal payment as has been done with regularly selected employees.

The case of the management is that the workman was engaged through contractor and he was paid minimum wages fixed by Ministry of Labour on hand receipt basis against certain services rendered by him. He was not engaged continuously for long period on regular basis. The hand receipt payment was made only for work of purely temporary in nature as and when required, such as water filling in coolers, supply of water to trainees. He has been engaged through contractor so he is not entitled to get equal pay for equal work. He is only entitled to get minimum wages as prescribed by the Government.

The workman applicant has filed rejoinder. In the rejoinder he has reiterated the averments of his claim statement and has denied most of the paras of the written statement. The management has also denied most of the paras of the claim statement.

Evidence of both the parties has been taken.

Heard argument from both the sides and perused the papers on the record.

It transpires from perusal of the order sheet that several dates have been given to the management for filing affidavit. The management filed affidavit on 07-12-2006 but the witness did not turn up for cross-examination. The opportunity of evidence of the management was closed on 12-06-2008 and the workman was heard and the case was reserved for award.

It was submitted from the side of the workman that he was engaged as Peon on daily wages from 11-05-1993 and subsequently he has been put under the control and supervision of the management. The duties were assigned

to the workman by the management. He was made payment on hand receipt.

The workman has annexed with the record, certificate issued by the Asstt. Engineer. The Asstt. Engineer has mentioned in this certificate that the workman has been working under his control since last three years as contract labour on contract basis. It has been also mentioned in the certificate that he is sincere and hard working boy and is devoted to his duties. This certificate has been admitted by the management. So as per the admitted case of the management, the workman was working under the control and supervision of the management though as a contractor worker since 1993 up to 18-05-2004. The year of issuance of certificate by the Asstt. Engineer is admitted to the management.

From perusal of this certificate alone it becomes quite obvious that the workman was engaged through contractor but he worked under the control and supervision of the management. It is settled law that contractor's workmen working under the control and supervision of the management, becomes an employee of the principal employer.

In Salmond's Treatise on the Law of Torts the distinction between a servant and independent contractor has been indicated as under :—

What then, is the test of this distinction between a servant and an independent contractor? The test is the existence of a right of control over the agent in respect of the manner in which his work is to be done. A servant is an agent who works under the supervision and direction of his employer; an independent contractor is one who is his own master. A servant is a person engaged to obey his employer's orders from time to time; an independent contractor is a person engaged to do certain work, but to exercise his own discretion as to the mode and time of doing it - he is bound by his contract, but not by his employer's orders.

The management retains the power of controlling the work so the workman is the employees of the respondent/ management.

The test regarding independent contractor and intermediaries have been laid down in Hussainabhai, Calicut V. The Alath Factory Thezhilali Union Kozhikode [(AIR 1978 SC 1410 (3 Judges))] "the true test may, with brevity, be indicated once again. Where a worker or group of workers labours to produce goods or services and these goods or services are for the business of another, that other is, in fact, the employer. He has economic control over the workers, subsistence, skill, and continued employment. If he, for any reason chokes off, the worker is, virtually, laid off. The presence of intermediate contractors with whom the workers have immediate or direct relationship as

contract is of no consequence when, on lifting the veil or looking at the conspectus of factors governing employment, we discern the naked truth, though draped in different perfect paper arrangement, that the real employer is the management, not the immediate contractor. Myriad devices, half-hidden in fold after fold of legal form depending on the degree of concealment needed, the type of industry, the local conditions and the like may be resorted to when labour legislation casts welfare obligations on the real employer, based on Articles 38, 39, 42, 43 and 43-A of the Constitution. The Court must be astute to avoid the mischief and achieve the purpose of the law and not be misled by the maya of legal appearances."

This case law has been affirmed by the Constitution Bench Judgment in Steel Authority of India. In case the security job chokes off, the workmen would be laid off. Such contract is prohibited; it is not a contract for a given result.

The management has not produced any evidence that the workman did not work under the control and supervision of the management so there is employer-employee relationship.

It is admitted to the workman that minimum Wages are being paid to him by the contractor, so he is not entitled to equal pay for equal work as he is not a regular employee of the management. It is not denied by the management that the workman is not performing the work of the management. The contractor has engaged him not for his work but for the work of the management. In such circumstances, contractor's workmen become an employee of the principal employer.

In the instant case the workman has become an employee of the principal employer i.e. the management. The management should regularize his services within two months from the date of the publication of the award.

The reference is replied thus

The action of the management of All India Radio, New Delhi in not regularizing the services of Sh. Lekh Raj from the date of his initial appointment is neither legal nor justified. The workman applicant is entitled to regularization within two months from the date of the publication of the award. He is not entitled to equal pay for equal work.

The award is given accordingly.

Date : 24-06-2008

R. N. RAI, Presiding Officer

नई दिल्ली, 30 जून, 2008

का.आ. 2005.—ऑद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार डी.इ.टी. टेलीकॉम डिपार्टमेंट के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट ऑद्योगिक विवाद में केन्द्रीय सरकार ऑद्योगिक अधिकरण/श्रम न्यायालय नं. II, नई दिल्ली नं. 2

के पंचाट (संदर्भ संख्या 34, 35 तथा 41/94) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-6-2008 को प्राप्त हुआ था।

- [फा. सं. एल-40012/234/92-आईआर(डी.यू.)]
- [फा. सं. एल-40012/193/92-आईआर(डी.यू.)]
- [फा. सं. एल-40012/198/92-आईआर(डी.यू.)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 30th June, 2008.

S.O. 2005. —In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the award (Ref. No. 34, 35, & 41/94) of the Central Government Industrial Tribunal-cum-Labour Court No. 2, New Delhi as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of D.E.T., Telecom Department and their workman, which was received by the Central Government on 30-6-2008.

- [F. No. L-40012/234/92-IR(DU)]
- [F. No. L-40012/193/92-IR(DU)]
- [F. No. L-40012/198/92-IR(DU)]

SURENDRA SINGH, Desk Officer
ANNEXURE

BEFORE THE PRESIDING OFFICER: CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM-LABOUR COURT-II, NEW DELHI

PRESIDING OFFICER: R. N. RAI

I. D. No. 34, 35 & 41/1994

IN THE MATTER OF:

Sh. Chander Bhan & 2 Ors.,
C/o. V.K. Gupta,
2/363, Namner,
Agra (UP).

VERSUS

The D.E.T.
Telecome Department,
Aligarh (UP),
Pin : 202001

AWARD

The Ministry of Labour by its letter No. L-40012/234/92-IR(DU) Central Government Dated 05-05-1994, L-40012/193/92-IR (DU) Central Government DT. 05-05-1994 & L-40012/198/92-IR(DU) CENTRAL GOVERNMENT dt. 05-05-1994 has referred the following point for adjudication:

The points runs as hereunder:-

“Whether the action of D.E.T., Aligarh in terminating the services of Sh. Chander Bhan, S/o. Ganga Dutt

Singh is legal and justified? If not, what relief he is entitled to.”

“Whether the action of D.E.T., Aligarh in terminating the services of Sh. Murli Singh, S/o. Chhater Singh is legal and justified? If not, what relief he is entitled to.”

“Whether the action of D.E.T., Aligarh in terminating the services of Sh. Ram Kumar, S/o. Malkhan is legal and justified? If not, what relief he is entitled to.”

I. D. Nos. 34/1994, 35/1994 and 41/1994 involve common dispute. These are connected cases and they can be adjudicated by common award. The grounds of all the cases mentioned above are the same. Only date of engagement and dis-engagement are different. So all the above mentioned cases are taken up together.

The case of the workmen is that they were appointed as casual labourers at the office of DET, Aligarh and worked during 1984 till November, 1992.

That their services were illegally and arbitrarily terminated in the year 11/1992 without written orders and without any retrenchment compensation whereas they have completed 240 days continuous service in one calendar year. Juniors to them were retained in service and new hands have been appointed in violation of Section 25 F G & H of the ID Act, 1947.

The case of the management is that the workmen were engaged as casual labourer for completion of specific worker. After completion of the work the workmen were relieved. There is no question of paying retrenchment compensation. The respondent is not an Industry.

The workman applicant has filed rejoinder. In the rejoinder he has reiterated the averments of his claim statement and has denied most of the paras of the written statement. The management has also denied most of the paras of the claim statement.

Evidence of both the parties has been taken.

Heard argument from both the sides and perused the papers on the record.

The award has been given in this case by predecessor P.O., Sh. Ganpati Sharma in the year 1997 holding that P & T Department is not an Industry and it has been set aside subsequently and the case has been again re-stored to its number.

It was submitted from the side of the workmen that they have worked for 162 days in the year 1991, 111 days in the year 1992 and 243 days in the year 1993.

It was also submitted that the muster roll list of the casual labourers were prepared counting working days from

17-12-1992 to 17-12-1993. The workman has worked for 240 days from 17-12-1992 to 17-12-1993 but his name has not been illegally included in the muster roll list.

It was submitted from the side of the management that the workman was given specific work. He has filed false certificate of the officers. He has not performed 240 days in the year 1993 so, his name was not rightly included in the list of muster roll casual labourers.

It was also submitted that the management is not an Industry, so the provisions of ID Act, 1947 are not applicable to the management.

The workmen have filed certificates issued by the management. The certificates are on the letter head of the management and bear the seal and signature of the management. The workmen have filed four documents. All the documents bear the signature of either Sub-divisional Engineer or Assistant Engineer.

From these documents it becomes quite obvious that the workman has worked for 162 days in the year 1991, 111 days in 1992 and 243 days in 1993. The workmen have stated in his cross-examination that all the documents were given to him by the Clerk. They have named the employees who gave them the certificate regarding his working days.

The management witness has stated in his cross examination that he does not know about the documents Ex. WW1/I to WW1/4. He has also stated that he did not know if the documents were issued to the workman by the respondent management.

The management witness has also stated in his cross-examination that no temporary worker is working at present. All the temporary workers till 17-12-1993 have been regularized by the respondent. Thus, the management witness has not denied specifically the certificate issued by the department. The certificates bear the seal and signature of the officers of the management. These certificates are on the letter head of the management so, it cannot be said that the certificates were forged.

The management has not examined the signatories of the 4 documents to establish that the signatures are forged. The management witness has expressed his unawareness about the 4 certificates issued by the department.

In certain cases photocopy documents are admissible in evidence, if the same has not been denied specifically.

I have perused the muster roll list filed by the management. On perusal of the list it becomes quite obvious that the workman Gauri Shankar has worked for 101 days from 17-12-1992 to 17-12-1993 and he was found eligible. The workman Sh. Shanti Swarup has worked for 32 days in

between 17-12-1992 to 17-12-1993 and he was found eligible and his name has been entered in the muster roll list. The management witness has stated in his cross examination as under:

"I do not know if Sh. Desh Raj, Vinod, Netrapal and Khem Singh are juniors to the workman and they have been regularized by the department. The muster roll Incharge maintains the register of work. No temporary worker is working at present. Temporary workers were working during the period 1989 till 1993. Vol. All the temporary workers till 17-12-1993 have been regularized by the respondent."

From perusal of the statement of cross-examination of this witness it becomes quite obvious that he has not denied that Sh. Desh Raj, Vinod, Netrapal and Khem Singh were not juniors to the workmen. As such the management has regularized the junior workman just as Desh Raj, Vinod, Netrapal and Khem Singh whereas the name of this workman has not been included in the muster roll list prepared in December, 1993. The eligibility criteria were 240 days from 17-12-1992 to 17-12-1993. This workman has worked for 241 days during this period and even the few workmen who have worked for 101 and 32 days have been found eligible and their name has appeared in the muster roll list.

It becomes quite obvious from perusal of the muster roll list that the management has included junior casual labourers in the muster roll list whereas the case of these workmen has not been considered and their names have not been included in the muster roll list. The management has acted in breach of section 25 G & H of the ID Act, 1947. These workmen were eligible for being included in the muster roll list prepared in December, 1993 of all the casual labourers whose name appeared in the muster roll list have been regularized. The case of these workmen has not been considered illegally and malafide by the management.

It was submitted from the side of the management that the respondent is not an Industry and the workman has approached the CAT for regularization but this case has been dismissed by the CAT.

It was decided by the D.B. of the Hon'ble Supreme Court and it was held that Telecom Department is not an Industry but later on this matter was referred to a Larger Bench of 3 Judges Bench and it has been held in (1997) 8 SCC 767 by the Hon'ble 3 Judges that Post and Telegraph Department is an Industry, in view of the Constitution Bench Judgement of the Bangalore Water Supply of 1978. As such it has been held by the Hon'ble Apex Court that Post and Telegraph Department is an Industry and there appears no merit in the argument of the management that Post and Telegraph Department is not an Industry.

OA filed by the workman may have been dismissed by the CAT. The management is an Industry. CAT has no

jurisdiction to decide the case of industrial workers. The judgment of CAT has no binding effect as it is without jurisdiction.

The management is an Industry in view of the above said decision of 3 Judges Bench of Hon'ble Supreme Court and the petitioner are workmen.

The workmen have worked for 240 days in the year 1992 and all the casual labourers who have worked for 240 days up to December, 1993 and even those who have performed 101 days and 32 days duties within that period have been enrolled in muster roll list but the management has deliberately and with malafide intention ignored the case of these workmen and they have been illegally removed from service. Their names should have been included in the muster roll list prepared in the year 1993 but the management has illegally ignored the case of the workmen. They deserved being included in the muster roll list prepared in the year 1993.

The reference is replied thus:

The action of D.E.T., Aligarh in terminating the services of S/Sh: Chander Bhan, S/o. Ganga Dutt Singh, Murli Singh, S/o. Chhatar Singh & Sh. Ram Kumar, S/o. Malkhan is neither legal nor justified. The management should reinstate the workmen along with 25% back wages within two months from the date of the publication of the award.

The award is given accordingly.

Date : 24-6-2008

R. N. RAI, Presiding Officer

नई दिल्ली, 30 जून, 2008

का.आ. 2006.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार केनरा बैंक के प्रबंधतंत्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. 2, नई दिल्ली के पंचाट (संदर्भ संख्या 31/1998) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-6-2008 को प्राप्त हुआ था।

[फा. सं. एल-12012/311/1997-आईआर(बी-II)]
राजिन्द्र कुमार, डेस्क अधिकारी

New Delhi, the 30th June, 2008

S.O. 2006.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the award (Ref. No. 31/1998) of the Central Government Industrial Tribunal-cum-Labour Court No 2, New Delhi as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Canara Bank and their workman, which was received by the Central Government on 30-6-2008.

[F. No. L-12012/311/1997-IR(B-II)]
RAJINDER KUMAR, Desk Officer

ANNEXURE

BEFORE THE PRESIDING OFFICER: CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM-LABOUR COURT-II, NEW DELHI

PRESIDING OFFICER: R. N. RAI

I.D.NO.31/1998

IN THE MATTER OF:

Sh. Diwan Singh,
Ex-employee of Canara Bank,
76, Khyber Pass Mess,
Civil Lines, Delhi.

...Claimant

Versus

The Dy. General Manager,
Canara Bank,
Disciplinary Action Cell,
Circle Office,
Cannought Place,
New Delhi.

-Respondents

AWARD

The Ministry of Labour by its letter No. L-12012/311/1997-IR-(B-II) dated 20-01-1998 has referred the following point for adjudication:

The points runs as hereunder :—

“Whether the action of the management of Canara Bank in terminating the services of Sh. Diwan Singh, Sub-staff w.e.f. 22-05-1993 is legal and justified? If not to what relief the said workman is entitled ?”

The case of the workman is that he was illegally served a charge-sheet on 02-07-1993 by the Dy. G.M. Disciplinary Actions Cell on Canara Bank and alleged certain gross misconduct on the part of the workman which is as under :

- (a) That the workman had made arrangements to open a fictitious SB A/c. No. 32409 in the name of Sh. Kamal Kumar by misusing his official position to facilitate perpetration of fraud on the bank to the extent of Rs. 50,000/- by his acts.
- (b) That the workman had tampered with the records of the bank to avoid detection of the above fraud by removing the A/c. opening form of SB No.32409 and by making alteration in the ledger folio and A/cs. “Opened & Closed” register etc.
- (c) That the workman had misutilized his official position by removing the cheques/instruments entrusted to him sent in clearing, apart from

making the alterations in the total figure of clearing outward on 28-12-1992.

Subsequent to the inquiry the workman was dismissed vide order dated 23-11-1984.

That the report of the Inquiry Officer was based on the circumstantial evidence. The Inquiry Officer has observed that there was no direct evidence. The workman cannot be dismissed on the basis of circumstantial evidence. That the workman has been held guilty of the charges without any substantial evidence. The account opening form was in safe custody of the Branch Manager and the case was handed by him only so he cannot open a fictitious account. The workman has not changed the account no. of the introducer. The ledger sheet was in the custody of the Ledger Keeper.

That it was not proved that the workman has actually taken the possession of the instrument of refund of Rs. 10,000/- It is not proved by the Dak Register. It was not proved that the workman was responsible for removing the instruments from the bundle of cheques in the Clearing Department.

That no attempt was made to find out as to who operated the SB A/c. No. 32409 and fraudulently digested a sum of Rs. 50,000/- by coming to the branch several times and withdrew the amount before the very eyes of the Officer Incharge.

That it was not attempted to find out as to who was operator of SB A/c. No.32409. The workman has a very honest record and he has been appreciation letters. The findings of the Inquiry Officer are perverse. The DA & AA did not consider the point raised by the workman.

The case of the management is that the workman opened fictitious A/c. in the name of Sh. Kamal Kumar and he himself made various credit entries to that account and withdrew the amount by withdrawal slips for Rs. 8,000 & Rs. 2,000.

The bar bearing no. 12564 for non MICR cheques for Rs. 28845.64 including the above said cheque and another cheque for Rs.8845.64 was sent in clearing but these cheques did not reach the clearing section and amount of Rs. 20,000 was credited to the A/c. No. 32409 of Sh. Kamal Kumar which was withdrawn through withdrawal slips on 30-01-1993.

That a proper and valid inquiry was held. The workman participated in the inquiry. He cross-examined all the witnesses. He was given opportunity to adduce defence evidence. The DA issued show cause notice along with the findings of the Inquiry Officer along with proposed punishment. The DA considered the representation of the workman and passed a reasoned detailed order.

The workman applicant has filed rejoinder. In the rejoinder he has reiterated the averments of his claim

statement and has denied most of the paras of the written statement. The management has also denied most of the paras of the claim statement.

Evidence of both the parties has been taken.

Heard argument from both the sides and perused the papers on the record.

It was submitted from the side of the workman that there is no evidence against him. The Inquiry Officer held the charges proved on the basis of circumstantial evidence. The fictitious account opening form has not been removed by the workman. The workman has not made any entry in the ledger. He had not withheld two cheques of clearing.

It was submitted from the side of the management that the workman opened fictitious account in the name of Sh. Kamal Kumar. He introduced the account and subsequently he removed the account opening form. He altered the register where the account of the introducer was recorded. He did not submit two cheques when he went for clearing.

From perusal of the record it becomes obvious that three charges have been levelled against the workman. The first is regarding opening fictitious account No.32409 in the name of Sh. Kamal Kumar by the workman by using his official position and to facilitate to cause loss to the bank of Rs.50,000.-The second charge is regarding tampering with the record of the bank to avoid detection of the above fraud.

The third charge is regarding removing the cheques and instruments entrusted to him for clearing apart from making the alterations in the total figure of clearing outward on 28-12-1992.

The allegation against the workman is that he introduced account no.32409 in the name of Sh. Kamal Kumar and he opened the account. The account no. of the introducer has been wrongly written as SB A/c. No.31244 on the ledger folio and account open and close register respectively.

That the workman removed the account opening form of Sh. Kamal Kumar from the banks record to avoid detection of fraud. It also transpires from perusal of the record that the address of Sh. Kamal Kumar was searched but no such Kamal Kumar was found residing at the address mentioned in the account opening form. The account was fictitious and it was opened with malafide intention of causing loss to the bank.

It was submitted from the side of the management that the workman was in clearing section of the department of the branch and was entrusted with the work of delivering the bars in clearing section along with cheques and instruments.

It was further submitted from the side of the management that the workman lodged the clearing and he intentionally noted the wrong number of the instrument as 57834 instead of 5729 and the bank's name BOA instead of American Express to avoid detection of fraud. Thus, it resulted in crediting an amount of Rs. 10,000 in SB A/c. No. 32409 which was later on withdrawn by way of withdrawal slip.

It was further submitted that the workman had taken the bundle of clearing cheque along with bar and Rs. 12,08, 700.72 to the Main Branch. On the way he removed the instrument of Rs. 20,000 drawn on OBC and deposited to the credit of account No. 32409 to avoid detection of fraud. He altered the bar figure from 12,08, 750.27 to Rs. 11,88, 750.27 and thus, an amount of Rs. 20,000 was credited in that fictitious account and it was subsequently withdrawn through withdrawal slip for Rs. 18,000 and Rs. 2,000.

From perusal of the inquiry proceedings it becomes quite obvious that MW1 and MW5 have deposed that the workman asked for a token of Rs. 20,000 on 06-01-1993 from SB A/c. No. 32409. The witnesses 1 and 5 have also deposed that the workman mentioned wrong no. of the instrument lodged on 28-07-1992. MW1, 5 & 8 had confirmed the alterations in bar figure. Witnesses 1 & 5 confirmed non-sending of bar to clearing house.

I have perused the findings of the Inquiry Officer. The Inquiry Officer has given detailed findings and he has mentioned all the documents and the deposition of the witnesses in his finding. The witnesses have proved all the documents. It was found proved by the Inquiry Officer from record as well as from the statement of witnesses that on 28-07-1992 clearing was lodged by Sh. Deewan Singh and he intentionally noted wrong number of the instrument. The workman has not denied that he did not lodge clearing on 28-07-1992.

The Inquiry Officer has also mentioned that on 28-12-1992 Sh. Deewan Singh took the bundle of clearing cheques along with bar and he removed the instrument for Rs. 20,000 and altered the total figure also. It is not denied by Deewan Singh that he did not lodge clearing on 28-12-1992 and 28-07-1992. He was working in clearing department. He has forged the instruments on two dates of clearing. On 28-07-1992 he made wrong credit entry of Rs. 10,000 in that fictitious account on 28-12-1992 he made fictitious entry of Rs. 20,000. Witnesses have also deposed that the workman received Rs. 2,000 by withdrawal slip. He was asked to take the instrument and to deliver the same to the main branch. He did not deliver the said instrument to the main branch and thus, Rs. 20,000 was deposited to the credit of the fictitious account of Sh. Kamal Kumar.

I find no merit in the argument of the workman that the Inquiry Officer held the charges proved on the ground

of circumstantial evidence. The duties of clearing on three occasions were assigned to the workman and he made alterations in the instrument on one occasion for Rs. 10,000, an amount for Rs. 20,000 and on third occasions for Rs. 20,000. The management has examined 8 witnesses during the course of the inquiry and the workman has cross-examined all the witnesses. The Inquiry proceedings also reveal that he was given opportunity to give defence evidence and to submit written argument. Show cause notice was given to him. Findings of the Inquiry Officer were also given to him. The DA & AA have passed reasoned order.

It is settled law that in a domestic inquiry the strict and sophisticated rules of evidence under the Evidence Act may not apply. All materials which are logically probative for a prudent mind are permissible. There is no allergy to hearsay evidence provided it has reasonable nexus and credibility. The departmental authorities and administrative tribunals must be careful in evaluating such material and should not glibly swallow what is strictly speaking not relevant under the Evidence Act."

It is also settled law that the sufficiency of evidence in proof of the finding by a domestic tribunal is beyond scrutiny. Absence of any evidence in support of a finding is certainly available for the court to look into because it amounts to an error of law apparent on the record.

It has been held in 1972 (25) FLR 45 as under:

"An industrial Tribunal would not be justified in characterizing the finding recorded in the domestic inquiry as perverse unless it can be shown that such a finding is not supported by any evidence, or is entirely opposed to the whole body of the evidence adduced before it. In a domestic Inquiry once a conclusion is deduced from the evidence, it is not permissible to assail that conclusion even though it is possible for some other authority to arrive at a different conclusion on the same evidence."

It has been held in this case that in domestic inquiry evidence of a solitary witness is sufficient to hold the charges proved.

It has been held in 2001 (89) FLR 427 as under:

"It is well settled that a conclusion or a finding of fact arrived at in a disciplinary inquiry can be interfered with by the court only when there is no material for the said conclusion; or that on the materials, the conclusion cannot be that of a reasonable man."

From the above it becomes quite obvious that the workman himself opened the fictitious account in the name of Sh. Kamal Kumar and removed the account opening form and altered the ledger and changed the account no. of the introducer. He was himself introducer of that account. It is also found proved that on three occasions he manipulated the instrument entrusted to him and made false

entry in the SB account of Sh. Kamal Kumar and he himself withdrew the entire money by withdrawal slips.

Witnesses have deposed regarding obtaining of rupees two thousand by the workman himself on the withdrawal slip from the above fictitious account. It was none but the workman who opened the fictitious account and made fake credit entries and withdrew the entire amount of Rs. 50,000.

The findings of the Inquiry Officer are based on cogent documentary as well as oral evidence. The Inquiry Officer has considered all the aspects of the case and has held the charges proved separately. Principles of natural justice have been observed. Inquiry is not vitiated.

The punishment imposed on the workman is neither disproportionate nor shocking to the conscience of the court. He indulged in opening fictitious account making false entries and embezzled Rs. 50,000, so the punishment imposed is warranted and just. No interference regarding punishment is also required. The inquiry is fair and valid.

The reference is replied thus:

The action of the management of Canara Bank in terminating the services of Sh. Diwan Singh, Sub-staff w.e.f. 22-05-1993 is legal and justified. The workman applicant is not entitled to get any relief as prayed for.

The award is given accordingly.

Date : 25-06-2008

R.N. RAI, Presiding Officer

नई दिल्ली, 1 जुलाई, 2008

का.आ. 2007.—ओद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भै. मोदिलुफ्ट/रॉयल एयरवेज/स्पाइस जेट लि. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट ओद्योगिक विवाद में केन्द्रीय सरकार ओद्योगिक अधिकरण/श्रम न्यायालय (सं. 2) नई दिल्ली के अंचाट (संदर्भ संख्या 111/2008) को प्रकाशित करती है, जो केन्द्रीय सरकार की 1-7-2008 को प्राप्त हुआ था।

[फा. सं. एल-11012/38/2007-आईआर(सी-I)]
स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 1st July, 2008

S.O. 2007.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the award (Ref. No. 111/2008) of the Central Government Industrial Tribunal/Labour Court (No. 2) New Delhi now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Modiluft/Royal Airways, Spice Jet Ltd. and their workman, which was received by the Central Government on 1-7-2008.

[F. No. L-11012/38/2007-IR(C-I)]
SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE THE PRESIDING OFFICER: CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, NEW DELHI

PRESIDING OFFICER : R. N. RAI

I.D. No. 111/2008

IN THE MATTER OF:

Sh. Jamal Khan,
S/o. Sh. Afjal Khan,
C/o. Sh. P.L. Srivastava,
CB-280, Ring Road, Naraina,
New Delhi-110028.

.....Claimant

VERSUS

The General Manager,
M/s. Spice Jet Limited,
Plot No.319, Phase-IV,
Udyog Vihar, Gurgaon,
Haryana

.....Respondents

AWARD

The Ministry of Labour by its letter No. L-11012/38/2007/IR(CM-I) Central Government Dated 18-02-2008 has referred the following point for adjudication:

The points runs as hereunder :—

“Whether the action of the management of Modiluft/Royal Airways/Spicejet Ltd., New Delhi in dismissing the services of Sh. Jamal Khan, Electrician w.e.f. 01-01-2002 is justified and legal? If not, to what relief is the concerned workman entitled and from which date.”

Notice through registered post has been sent to the workman on reference dated 18-02-2008. The Ministry of Labour has also sent intimation to the workman by registered post with a direction to decide the case within a period of three months.

Notice was sent on 05-02-2008 for filling claim. Claim was not filled on 05-02-2008, 30-05-2008 & 13-06-2008. It has not been filed so far.

The statutory period for disposal of such cases is only three months.

It appears that the woman is not interested in contesting the case.

No dispute award is given.

Date: 19-06-2008

R. N. RAI, Presiding Officer

नई दिल्ली, 1 जुलाई, 2008

का.आ. 2008.——औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पंजाब नेशनल बैंक के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. 2 नई दिल्ली के पंचाट (संदर्भ संख्या 193/1997) को प्रकाशित करती है, जो केन्द्रीय सरकार को 1-7-2008 को प्राप्त हुआ था।

[फा. सं. एल-12012/132/1997-आईआर(बी-II)]

राजिंद्र कुमार डेस्क अधिकारी

New Delhi, the 1st July, 2008

S.O. 2008.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the award (Ref. No. 193/1997) of the Central Government Industrial Tribunal-cum-Labour Court No. 2, New Delhi as shown in the Annexure in the Industrial Dispute between the management of Punjab National Bank and their workman, received by the Central Government on 1-7-2008.

[F. No. L-12012/132/1997-IR(B-II)]
RAJINDER KUMAR, Desk Officer

ANNEXURE

BEFORE THE PRESIDING OFFICER: CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, NEW DELHI

PRESIDING OFFICER: R.N. RAI

I.D. No. 193/1997

IN THE MATTER OF:

Sh. Radha Kishan,
Ex. Peon, Punjab National Bank,
13/17A Tilak Nagar,
New Delhi

...Claimant

Versus

1. The Chairman,
Punjab National Bank,
PNB House, Bhikaji Cama Place,
New Delhi.

2. The Chief Manager,
PNB, East Patel Nagar, New Delhi.

...Respondents

AWARD

The Ministry of Labour by its letter No. L-12012/132/97-IR(B-II) Central Government Dated 28-11-1997 has referred the following point for adjudication:

The points runs as hereunder:—

“Whether the action of the management of Punjab National Bank in dismissing the services of Shri Radha Kishan, Peon is legal and justified? If not, to what relief the said workman is entitled.”

The case of the workman is that while he was posted at BO: East Patel Nagar, a fraud of Rs.27,000/- reportedly unearthed in BO: East Patel Nagar. The management under the threat of Police action prevailed upon the workman and forced him to sign on dotted line admitting his involvement in this case. The workman was placed under suspension. Charge sheet was served upon him. Sh. N. K. Garg was appointed Inquiry Officer. He did not afford opportunity to the workman to participate in the inquiry. He gave his finding on the alleged confessional letter of the workman. The workman was made to sign that letter. The order of dismissal of the workman is arbitrary, unjust, malafide and illegal and is liable to be set aside.

That the punishment is arbitrary. S/Sh. Hanuman Parsad, Chander Kishore, Rattan Singh and Sh. Vinod Kumar were involved in the same offence but they have been awarded lesser punishment.

The case of the management is that Sh. Radha Kishan was appointed in the bank on 31-01-1984 as peon and was posted at BO: East Patel Nagar, New Delhi. He was confirmed in the bank services w.e.f. 31-07-1984 and passed matric examination in the month of May, 1988. In terms of the Rules governing him he officiated as clerk as and when required by the branch. He was placed under suspension on 12-12-1998 when fraud of Rs. 27,000/- came to light along with his involvement. He was served with charge-sheet dated 09-01-1992 alleging that he had committed fraud of Rs. 27,000 by making fictitious credit entries in the account of parties maintained at BO: East Patel Nagar. He has also destroyed the evidence like related ledger sheets, account opening forms, vouchers etc. and it was alleged against him that he has committed a gross misconduct in terms of the BPS by doing acts prejudicial to the interest of the bank which had led to a serious loss. Sh. Radha Kishan vide his letter dated 29-11-1990 had admitted his involvement. The bank had also lodged complaints with the police authorities. However, in accordance with the provisions of the BPS the bank waited for one year and thereafter served charge-sheet dated 09-01-1992 on Sh. Radha Kishan. A departmental inquiry was constituted by the DA vide his orders dated 03-09-1992 and Sh. N. Garg was appointed as Inquiry Officer. Ample opportunity was provided to Sh. Radha Kishan to attend the inquiry proceedings in the terms of the principle of natural justice but he did not attend the inquiry most of the time despite being given adequate notice to appear in the same. The Inquiry Officer in his report dated 10-03-1994 has held Sh. Radha Kishan guilty of the charges levelled against him i.e. committing frauds in connivance with certain customers and that the fraud was committed intentionally and knowingly. The charges levelled on Sh. Radha Kishan stood established.

The DA vide orders dated 24-06-1994 proposed the punishment of dismissal from bank's service without notice. It is further submitted that along with show-cause notice dated 24-06-1984 the workman was provided with a copy of the inquiry report submitted by the Inquiry Officer. He was afforded personal hearing on 02-07-1994. He appeared for the personal hearing before the DA on the said date. The DA vide his orders dated 15-07-1994 confirmed the punishment of dismissal from service of Sh. Radha Kishan. Sh. Radha Kishan then preferred an appeal dated 20-08-1994 and was afforded a personal hearing on 15-10-1995, the AA observed that the charges proved against Sh. Radha Kishan were very serious and taking into consideration all the aspects of the case he did not find any ground to interfere with the decision taken by the DA imposing upon Sh. Radha Kishan the punishment of "dismissal without notice". As such the appeal preferred by Sh. Radha Kishan was rejected vide a speaking order of the Appellate Authority.

That the workman absented himself from the inquiry proceedings. The Inquiry Officer gave several opportunities in view of non-participation of the workman in the course of inquiry. He gave his findings on the confessional statement of the workman. The inquiry proceeded ex parte. Neither the workman nor his DR participated in the enquiry on several dates. The inquiry is fair and valid.

The workman applicant has filed rejoinder. In the rejoinder he has reiterated the averments of his claim statement and has denied most of the paras of the written statement. The management has also denied most of the paras of the claim statement.

Evidence of both the parties has been taken.

Heard argument from both the sides and perused the papers on the record.

It was submitted from the side of the workman that the inquiry has been conducted ex parte. No witness has been examined in the inquiry. The workman has not given opportunity to defend his case. The findings of the Inquiry Officer are perverse. The DA & AA acted with closed mind.

It was submitted from the side of the management that 10—12 opportunities were given to the workman. The workman sought adjournment on un-necessary grounds. The Inquiry Officer was compelled to hold the inquiry ex parte. The workman has confessed all the charges in his own handwriting without any pressure and threat.

From perusal of the inquiry proceedings it becomes quite obvious that the Inquiry Officer on 16 occasions adjourned the proceedings of the inquiry. The charge-sheeted employee was not present to defend himself. The DR was present on 30-04-1993 and 22-06-1993 thereafter no defence representative turned up before the Inquiry Officer. Opportunities were given on 25-06-1993, 14-07-1993, 30-07-1993, 06-08-1993, 22-10-1993 & 21-01-1994, at last the Inquiry Officer proceeded ex parte.

It also becomes quite obvious that the Inquiry Officer has given him sufficient time to participate in the inquiry. The charges against is that he connived in making vicious entries in SF A/c. No.35441, for Rs.380.36 of Md. Farique of Rs.6000 in SF A/c. No.31129 of Abdul Rahim for Rs.18000 and in the A/c of Sh. Naresh for Rs. 3000. The further charge is that he destroyed the bank records such as ledger sheet, ADF and vouchers.

It has been held in AIR 1976 SC that in case a workman intends or attempts to stultify the inquiry and his attitude is of complete non-cooperation, the inquiry should be held fair.

In the instant case several adjournments have been granted to the workman but the workman himself declined to take part in the proceedings and failed to remain present as such even ex parte inquiry is fair in view of SLR 1970 Delhi & AIR 1976 SC.

The Inquiry Officer has based his findings on the confessional letter of the workman dated 29-11-1990. The photocopy of the letter dated 29-11-1990 has been filed on the record. It is written in Hindi. It is in the handwriting of the workman. The workman has mentioned in this letter that somehow or the other he got deposited Rs. 20,000 and he would deposit rest amount shortly. He has further mentioned that he has committed mistake and he has prayed in that letter that he is in poverty. He has requested for lenient action and promise that he would never commit any misconduct. All the documents in which entries were made have been filed on the record.

The confessional letter has been written by the workman in his own handwriting and he has signed it. It cannot be said that it was obtained under police threat or pressure on the workman.

The workman has embezzled Rs. 27,000 from A/c. of three A/c. Holders by making false entries. The management instituted the inquiry, when the fraud was detected: the workman deliberately did not participate in the inquiry as in view of his categorical confession of his misconduct there remains nothing for his defence.

From perusal of the record it becomes quite obvious that the workman was involved in the embezzlement of Rs. 27,000. The inquiry was held ex parte after giving several adjournments to the workman. The workman and his DR withdrew from the inquiry proceedings. The inquiry is fair and valid. The punishment imposed on the workman in view of embezzlement and forgery of the record is quite appropriate.

The reference is replied thus:

The action of the management of Punjab National Bank in dismissing the services of Shri Radha Kishan, Peon is legal and justified. The workman applicant is not entitled to get any relief as prayed for.

The award is given accordingly.

Date : 20-06-2008

R. N. RAI, Presiding Officer

नई दिल्ली, 2 जुलाई, 2008

का.आ. 2009.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय खाद्य निगम के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, भुवनेश्वर के पंचाट (संदर्भ संख्या 109/2002), को प्रकाशित करती है, जो केन्द्रीय सरकार को 2-7-2008 को प्राप्त हुआ था।

[फा. सं. एल-22012/435/1995-आईआर(सी-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 2nd July, 2008

S.O. 2009.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 109/2002) of the Central Government Industrial Tribunal-cum-Labour Court, Bhubaneswar as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Food Corporation of India and their workman, which was received by the Central Government on 2-7-2008.

[F. No. L-22012/435/1995-IR(C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, BHUBANESWAR

Present: Shri N.K.R. Mohapatra,
Presiding Officer, C.G.I.T.-cum-Labour
Court, Bhubaneswar.

Industrial Dispute Case No. 109/2002

Date of Passing Award - 12th June, 2008

Between : The Management of the District Manager,
Food Corporation of India, Link Road,
Cuttack - 12.

...1st Party-Management.

And

Their Workman, Shri Brundaban Samal,
Vill. Mukundpur, P.O. Karmul,
Distt. Dhenkanal.

...2nd Party-Workman.

Appearances:—

M/s. M. K. Mohapatra, ...For the 1st Party-
Advocate. Management.

M/s. Komal Ray, ...For the 2nd Party-
Advocate. Workman.

AWARD

The Government of India in the Ministry of Labour, in exercise of powers conferred by Clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred the following dispute for adjudication vide their Order No.L 22012/435/95-IR (C-II), dated 3-10-2002.

“Whether the action of the Management of Food Corporation of India in terminating the services of Shri Brundaban Samal w.e.f. 5-5-1993 is legal and justified? If not, to what relief the workman is entitled to?”

2. In his Claim Statement it is alleged by the workman that after being duly selected by a selection board the Management posted him as a peon-cum-water carrier in the Storage Depot of the Food Corporation of India at Chowduar in the year 1989. But on the merger of the said depot with the Jagatpur depot he was terminated from service from 5-5-1993 without any rhyme and reason or notice pay or with any retrenchment compensation as prescribed under section 25-F of the Industrial Disputes Act. Being aggrieved with such termination the workman raised an Industrial Dispute before the Asst. Labour Commissioner (Central) which ended in a failure report. In the meantime he filed O.J.C. No. 5923/96 claiming regularization. In that case the Management took a stand that the petitioner was never engaged either on casual or on daily wage basis but he was allowed to supply drinking water and was paid Rs. 2.50 towards the cost of the water supplied once in a day and he did the said work for about 14 months alone but not that, he was engaged on permanent basis. Since the representation of the workman was pending by the time the above O.J.C. was filed, the Hon'ble Court after considering the submissions of the Counsel for the Management disposed of the said O.J.C. with a direction to the Management to consider duly such representation taking into account the applicable regulations. As the Management did not consider his representation favourably and as in the meantime the Government of India refused to make any reference on the basis of the failure report earlier submitted by the Asst. Labour Commissioner (Central), the disputant-workman filed another O.J.C. No. 6223/2000 whereupon, it is alleged, the present reference was made by the Government.

3. While meeting the above challenge of the workman the Management filed its Written Statement claiming that the workman was never appointed as Peon-cum-Water Carrier on the basis of any selection made by the selection committee nor the storage godown at Chowduar (where the workman claims to have had been posted) was ever merged with the Jagatpur Storage Depot. According to the Management the disputant-workman was simply selling water on his own accord to the staff working in the Chowduar Depot once in a day and for that he was being paid Rs. 2.50/- towards the cost of the water and such

engagement and payment was made at the depot level with which the District Manager (Management) was nothing to do. It is further contended by the Management that since the said depot was officially closed with effect from 31-10-1992 the question of the workman working beyond such date does not arise. It is further contended by the Management that the workman at first filed O.J.C. No. 5923/96 claiming regularization which was disposed of by the High Court with a direction to the Management to consider the pending representation of the workman and that the Management having passed an order rejecting the said representation in its order dated 13-1-1999, the workman again filed another O.J.C. No. 6223/2000 and also O.J.C. No. 1428/2002 when the Government of India did not refer the matter to the Tribunal. As regards to some service certificates to which the disputant-workman has referred to in his Statement of Claim, it is further contended by the Management that these service certificates were never issued by the competent authority and that the same are forged and manufactured one's and, therefore, the reference is liable to be answered in negation, the entire story as advanced by the workman being totally false, baseless and fabricated.

4. On the basis of the above pleadings of the parties the following issues were framed.

ISSUES

1. Whether the reference is maintainable?
2. Whether the action of the Management of Food Corporation of India in terminating the services of Shri Brundaban Samal w.e.f. 5-5-1993 is legal and justified?
3. If not, to what relief the workman is entitled to?
5. The workman has examined himself in support of his case. He has also marked two hand written certificates purported to have been issued in his favour by the Asst. Depot Supdt. in support of his service period. The Management on the other hand has examined the concerned Asst. Depot Supdt. of Chowduar FCI Depot under whom the workman claims to have had worked. The documents marked Ext.-A to B/3 have also been produced from the side of the Management to show that there was no master and servant relationship between the Management and the disputant-workman.

FINDINGS

ISSUE NO.1

6. No evidence worth the name has been adduced by the Management in regard to the non-maintainability of the present reference. It was, however, argued by the Management that the engagement of the workman being part-time in nature to supply few buckets of water intermittently on consideration of Rs. 2.50/- per day, he

cannot be considered as a workman so as to attract the provisions of Section 25-F of the Industrial Disputes Act. In this regard it be noted here that, part-time workers having not been excluded from the definition of the term "workman" as defined under the Industrial Disputes Act, the argument as advanced by the Management carries no water. Accordingly this issue is answered affirmatively

ISSUE NOS. II & III

7. These issues are taken up together as they are inter-linked.

It is deposed by the workman that on the basis of a recruitment test held by the Management he was posted in Chowduar FCI Depot in the year 1989 but on the event of shifting of the depot to Jagatpur he was refused employment from 5-5-1993 without any notice or any retrenchment benefit though he had worked continuously from Sept. 1989 till such date. It is the further evidence of the workman that at the time of such appointment he was issued with necessary appointment letter but no such letter has been produced by the workman though the onus was on him to prove such engagement. He has ofcourse offered an explanation during cross examination that the said appointment letter and few other documents were stolen while staying along with the Depot Manager (M.W.-1) in one of the rooms of the depot. But such an explanation cannot be accepted inasmuch as his subsequent evidence discloses that no such incident was ever reported to the police. On the other hand the Depot Manager who has been examined as M.W.-1 says that he was never residing with the disputant in any of the rooms of the Depot nor there was any burglary in the Depot premises at any point of time. According to him (M.W.-1) there was no such room available in the Depot for human habitation as the adjacent rooms were in dilapidated condition. In view of the above the claim of the workman that he was issued with an appointment letter and that the said letter was stolen while staying in the Depot premises cannot be believed. However, to supplement his above stand the workman has produced two hand written so called service certificates are purported to have been issued to him by the Asst. Depot Supdt. (M.W.-1) and another by name Shri A.C. Naik, (marked as Exts.-1 and 2) with an explanation that the same were issued to him by the above two persons when his original certificates were stolen away. Such of the stand of the workman also does not inspire confidence as the Management Witness No.1 has disputed his purported signature in Exts.-1. According to him he writes his surname as "Das" while Ext.-1 carries a surname as "Dash". Thus, the so-called service certificates cannot also be trusted upon and utilized in favour of the disputant-workman as his above approaches appear to have been tainted with falsehood. But none-the-less his entire claim cannot be rejected outright on that ground if he is found otherwise entitled to some benefits.

8. It is the settled law that under section 25-F of the Industrial Disputes Act no workman can be retrenched without notice or retrenchment compensation if he has worked continuously for 240 days in the preceding year. To show that there was no master and servant relationship between the Management and the disputant, the Management has produced some vouchers marked Ext.-B, B/1 to B/3 to show that the workman was engaged to supply few buckets of water intermittently at the rate of Rs. 2.50 per day. The Management has also submitted a detailed list marked as Ext.-A indicating therein the various dates on which the workman was asked to supply water in the above rate. This list is for the period from 1989 to 30-4-1990. The vouchers marked Ext.-B series relates to the period 1-3-90 to 3-3-90, 5-3-90 to 9-3-1990, 13-3-1990 to 17-3-1990 and 19-3-1990 to 24-3-1990 as reflected in the list (Ext.-A). These documents thus undoubtedly disclose that the engagement of the workman was not continuous up till 24-3-1990. These vouchers further indicate that such engagement was also not on the basis of any appointment being made by the Management. Rather it indicates that the workman used to supply water as and when necessary at the rate of Rs. 2.50 per day up till April 1990.

9. In so far as the claim of the workman that he had also worked beyond April 1990 the evidence adduced by the Management Witness No.1 shows that the FCI Depot at Chowduar was shifted to Jagatpur during 1993 and it was finally shifted in all respect in 1998. The letter No. QC. 25(20)/89-Misc. dated 5-12-1992 of the Dy. Manager FCI addressed to the Zonal Manager of FCI which is available on record being filed by the workman shows that the Depot at Chowduar was in operative since December 1989 and its entire stock was shifted to Jagatpur Depot from October 1992. The evidence of the M. W.-1 who was then the Asst. Depot Supdt of Chowduar further shows that even after shifting of the stock to Jagatpur Depot himself and another watcher used to attend the Depot office at Chowduar pending final shift of the Depot office to Jagatpur. His evidence further shows that, while the Depot at Chowduar was in operational stage the workman used to supply water intermittently as and when required on a consideration of Rs. 2.50 per day till he was disengaged from 5-5-1993 and for such engagement he was being paid from out of contingency fund. But since except Ext.-B series no other vouchers have been filed by the Management for the period from May 1990 to May 1993, I find no justification as to why it shall be believed as claimed by the workman that his engagement from May 1990 onwards was on regular basis to attend miscellaneous work including supply of water. Since the evidence of the workman discloses that during such period he was paid at the rate of Rs. 75 per month and no documents having been filed by the Management to negate his said claim I further hold that, by the time the workman was refused employment on 5-5-1993 he had worked continuously for 240 days in the preceding year. As admittedly no advance notice or retrenchment compensation has been paid to the workman

it is held that the action of the Management in refusing employment to the workman is bad under law as per Section 25-i of the Industrial Disputes Act. From the discussions made earlier it is crystal clear that the workman was never appointed on the basis of any recruitment test and therefore considering the factual aspect of the case and the meager remuneration he was getting at the time of such refusal of employment I hold that in lieu of reinstatement and back wages it would be proper to direct the Management to pay a consolidated compensation of Rs. 7,000 to the workman within a period of two months from the date of publication of the Award.

10. Accordingly the reference is answered with the above direction to the Management.

N. K. R. MOHAPATRA, Presiding Officer

LIST OF WITNESSES EXAMINED ON BEHALF OF THE 2nd PARTY-WORKMAN.

W.W.-1 - Shri Brundaban Samal.

LIST OF DOCUMENTS EXHIBITED ON BEHALF OF THE 2nd PARY-WORKMAN.

Ext.-1- Copy of the experience certificate granted to the workman by the Asst. Depot Supdt, F.C.I.

Ext.-2- Copy of another experience certificate granted to the workman by Shri A.C. Nayak.

LIST OF WITNESSES ON BEHALF OF THE 1ST PARTY MANAGEMENT

M.W.-1 - Shri Bhagabat Prasad Das

LIST OF DOCUMENTS EXHIBITED ON BEHALF OF THE 1ST PARTY-MANAGEMENT

Ext.-A-Copy of the work list or Shri Brudaban Sarmal.

Ext.-B-Copy of money receipt submitted by the workman dated 3-3-90.

Ext.-B/1-Copy of the money receipt dated 17-3-1990 submitted by the workman.

Ext.-B/2-Copy of money receipt dated 24-3-1990 submitted by the workman.

Ext.-B/3-Copy of money receipt dated 9-3-1990 submitted by the workman.

नई दिल्ली, 2 जुलाई, 2008

का.आ. 2010.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ पटियाल के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण चण्डीगढ़ के पंचाट (संदर्भ संख्या 802/2 K5) को प्रकाशित करती है, जो केन्द्रीय सरकार को 2-7-2008 को प्राप्त हुआ था।

[फा. सं. एल-12012/28/2000-आईआर(बी-1)]

एन. एस. बोरा, आर्थिक अधिकारी

New Delhi, the 2nd July, 2008

S.O. 2010.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 802/2K5) of Central Government Industrial Tribunal-Cum-Labour Court-II Chandigarh, as shown in the Annexure, in the industrial dispute between the management of State Bank of Patiala, and their workmen, received by the Central Government on 2-7-2008.

[F. No. L-12012/28/2000-IR(B-1)]
N. S. BORA, Economic Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, SECTOR 18-A CHANDIGARH

Presiding Officer : Shri Kuldip Singh

CASE I.D. NO: 802/2K5

Registered on: 6-9-2005

Date of Decision: 17-6-2008

SMT. KRISHNA W/O SH. BALBIR SINGH, H. NO. 2233,
DADU MAJRA COLONY, CHANDIGARH

PETITIONER

Versus

CHIEF GENERAL MANAGER, STATE BANK OF
Patiala, THE MALL, PATIALA (PB.)

RESPONDENT

APPEARANCE

For the workman : Mr. Neelam Singh, Advocate

For the Management : Mr. N. K. Zakhmi, Advocate

AWARD

The following reference was received from the Government of India, Ministry of Labour vide their Letter no. L-12012/28/2000/IR(B-1) dated 28-6-2000 :

“Whether the action of the Management of State Bank of Patiala in terminating the services of Smt. Krishna w/o Sh. Balbir Singh w.e.f. 26-10-1998 is just and legal? If not, to what relief the workman is entitled to?”

The notice of the reference was given to the parties who appeared through their representatives and the counsel. The workman filed the statement of claim and after the filing of written statement by the management she filed the rejoinder besides her affidavit in support of her pleadings. She also placed on record photocopies of a number of documents marked as Annexure A-I to A-23. The management filed the affidavit of Sh. Vijay Kumar Modi in support of their pleadings. The workman appeared as a witness and also produced S/Sh. Ashok Kumar & Avtar Singh as her witnesses. The management examined Sh. Vijay Kumar Modi as their witness. They also placed on record duly certified statement, showing the dates on which the workman was made payment by the management, duly supported original vouchers.

The claim of the workman is that she had continuously worked from June, 1995 till 6th of May, 1997 as sweeper-cum-peon in the management bank, Sector 22-B, Chandigarh and was appointed as daily wager against a permanent post. The management opened their new branch in Sector 32D, Chandigarh to which she was transferred with the assurance that she will be confirmed on the job where she had worked from June, 1997 to June, 1998. Then again she was transferred to the Management Branch in Sector 22-B, Chandigarh. By her representation dated 15-10-1998, she requested the management to regularize her in service because she had put in a continuous service of 240 days in a year, but the management instead of regularizing her terminated her service on 26-10-1998, without passing any order and without complying with the provisions of Section 25 of the Industrial Disputes Act, hereinafter referred as act. They retained juniors to her in service while terminated her services and thereby further violated the provisions of the Act. She has prayed for her reinstatement in service with all consequential relief.

The claim of the workman has been opposed by the management. It is submitted by them that the reference is not maintainable since the workman has not served the management for 240 days in 12 calendar months preceding the date of her disengagement. Their further claim is that the workman was engaged on contract basis basically for fetching water and was paid at the rate settled with her. She was also paid for doing miscellaneous work for the branch. She was only part time casual worker and had never worked for the period equal to the peon of the bank. Denying that the casual work available in the bank was of the sanctioned post, it is submitted by them that the said work is not done through the regular employee and for that the management used to engage persons for fix period and for a particular work. If any of them came daily to the bank to perform her duty he or she could not claim to be in the employment of the bank and as per the judgments of the Hon’ble Supreme Court the disengagement of such person could not constitute retrenchment as the entry of such was a back door entry. Their further submission is that there was no vacancy available against which the workman could have been engaged. The workman was never appointed in the bank nor did she ever work under their director control. Claiming that the workman was engaged in Sector 22-B, Chandigarh Branch of the Management purely on daily wages on working days and was paid Rs. 30 as wages as each day. Her services were utilized for limited purposes e.g. for bringing water and the management was not supervising her work. They did not exercise any economic or disciplinary control over her. The management further denied that workman was transferred/shifted to other branches and stated that her services were taken on need basis and her contract was for specified period for which she was paid. The workman used to work for an hour or two everyday. She was not recruited by the management. Since the workman was not engaged by the management, the question of her termination by them did not arise. Admitting that the workman had made the representation to the bank it stated by them that the same was rejected holding that the contentions raised were

misconceived and wrong. They further denied that management had ever violated the provisions of the Act. According to them, the action of the management was justified. They admitted that workman had served in different branches of the management bank on contract for cleaning the premises of the bank. They described the other averments as misconceived, misstated and submitted that the claim of the workman is not maintainable, therefore, the reference may be decided against her.

The workman, by her rejoinder, contested that claim of the management that she was engaged on contract or that she was engaged only to fetch water and stated that she had continuously worked for them for 240 days from June, 1995, so she was entitled to be regularized in service. The management had recruited persons after June, 1995 on regular basis which proved that the management has regular vacancies with them. They retained her juniors in service whereas terminated her services.

The workman appeared as witness and proved her affidavit exhibit W 1. She admitted that she was engaged on 12th of July, 1997 on contract basis @ 30/- rupees per day and did the job of sweeping. She denied that she was working only for one and half hour a day. She further admitted that her engagement was not though the employment exchange nor the post was advertised. Her attendance was also not marked like regular employees. She was also not given the appointment or termination order. She claimed that she had worked in Sector 22 branch of the bank for three months after having worked in 32 Sector branch. She further admitted that she was not given order in writing transferring her from one branch to another. She denied that she is working else where after the expiry of contractual engagement. Ashok Kumar who appeared as witness for the workman produced the vouchers for the period 28th of June, 1997 to 20th of May, 1998 and stated that some times the workman used to supply water during her cleaning time. He claimed that the workman used to work for two hours a day and was paid rupees 30/- for the same. Avtar Singh another witness of the workman produced photo copies of vouchers for the period August 1995 to 1st of May, 1997 and stated that the original of those vouchers were not traceable. He further stated that the photo copies produced by him were given him by the petitioner and that he cannot verify the signatures on the vouchers unless the originals are shown to him.

The management produced Shri Vijay Kumar Modi as their witness who admitted the contents of his affidavit and stated that as per the record the workman was engaged casual labour for three months for fetching water from 1st of August, 1998 on daily wages @ 30/. He admitted that before serving in the 22-B branch, the workman had served for 84 days from 12th of July, 1997. In the year 1998 she had served for 67 days up to 20th of March, 1998 and thus had served intermittently. She was not paid for Sundays. The permission to engage her was not taken from the controlling office. As per record the workman had not served for 240 days in the year preceding the date of her disengagement. He further claimed that workman was not sent to work in 32-B branch of the management Bank and she herself had

got the work there. He denied that the workman had worked from June, 1995 to Sept, 1998 as daily wager or that she had worked for 240 days in a calendar year.

I have gone through the file and have also considered the written submissions made by the counsel for the parties and the authorities referred to by them.

It is on record that two employees of the management appeared as witness of the workman and produced the original and photo copies of the vouchers prepared by the management in acknowledgement of payment of wages to the workman. These vouchers help in understanding the nature of engagement of the workman. She has claimed that she was engaged as daily wager whereas the claim of the management is that she was engaged on contract. They have placed much reliance on the statement of the workman in which she admitted that she had been engaged on contract although in the written arguments they admitted on page 2 that "her services were utilized for carrying water buckets from outside the premises of the branch on purely daily wage and casual basis including holidays". In my opinion the reliance placed by the management is not justified. The statement of the workman has to be read in conjunction with her pleadings; that of the management and the documents placed on record. The vouchers, original and photo copies, clearly show that the workman was paid for cleaning and sweeping at the rate of rupees 30 per day. She was also paid for fetching the water for the management bank. In these vouchers there is nothing to show that the workman was working on contract. The management has not produced any evidence such as the office noting, orders of competent authority for engaging the workman and on what terms and conditions. That could very well show the nature of engagement of the workman. There is also nothing mentioned in these vouchers that the workman was engaged only for an hour or for an hour and half, everyday and for what period she was engaged. These documents, however, clearly show that the workman had worked continuously and in no case she had served the management for less than 240 days in the calendar year preceding the date of her disengagement. Her engagement thus was a daily wager for unspecified period and such an engagement cannot be styled as contractual.

The claim of the management that the workman was not transferred to their 32 Sector branch by the management and she herself had management the engagement in that branch has no effect on the claim of the workman since both the branches were working under the management. The management at page 3 of their written arguments admitted that "her services were also intermittently utilized in Sector 32B branch of the bank at the rate of Rs. 30 per day as mutually agreed between the workman and the management." This proves that the engagement of the workman in both the branches was by their orders. Therefore there was no break in her service. There is also nothing on record to show that the management had given notice to the workman before terminating her services or had paid her the wages for the notice period. There is also nothing to show that the workman was paid retrenchment compensation. The management, therefore, did not follow

the provisions of Section 25-F of the Industrial Disputes Act, 1947 before the termination of her services. The disengagement of the workman was therefore, bad in law and the same is quashed.

Now the question arises as to what relief the workman is entitled to. It is admitted by the workman that her engagement was not done through the employment exchange nor there was advertisement of the post in the news papers when she was engaged. The engagement of the workman therefore, was not in accordance with rules and regulations and can be termed as back door entry. In the light of law laid down by the Hon'ble Supreme Court of India in the case Secretary, State of Karnataka and others versus Urna Devi and others Appeal(civil) 3595-3612 of 1999 decided on 10-4-2006, She is not entitled to reinstatement in service. However, she is entitled to the compensation as the management did not follow the provisions of Section 25-F of the Industrial Disputes Act, 1947 before disengaging her. She had served the management for more than three years when she was disengaged. She has also suffered in prosecuting her case in these about ten year, both mentally and economically. Keeping in view the facts and circumstances of the case I am of the opinion that she is entitled to a compensation of rupees seventy five thousands. The management is directed to pay this amount to her within three months from the date this award becomes enforceable. In case of their failure to pay the same within the prescribed period, she will be entitled to interest on the awarded amount @ 9% P.A. from the date of award. In these terms the reference is answered and the award is passed.

Let a copy of the award be sent to the appropriate Government for necessary action and the file be consigned to records after due completion.

KULDIP SINGH, Presiding Officer

नई दिल्ली, 2 जुलाई, 2008

का.आ. 2011.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) को धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ इंडिया के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट (संदर्भ संख्या 97/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 2-7-2008 को प्राप्त हुआ था।

[फा. सं. एल-12012/107/2004-आईआर(बी-1)]

एन. एस. बोरा, आर्थिक अधिकारी

New Delhi, the 2nd July, 2008

S.O. 2011.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 97/2004) of Central Government Industrial Tribunal-Cum-Labour Court Jabalpur, as shown in the Annexure, in the industrial dispute between the management of State Bank of India, and their workmen, received by the Central Government on 2-7-2008.

[F. No. L-12012/107/2004-IR(B-1)]
N. S. BORA, Economic Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

NO. CGIT/LC/R/97/04

Presiding Officer : SHRI C.M.SINGH

The General Secretary,
Daily Wages Bank Employees Association,
9, Sanwar Road,
Ujjain (MP),
Ujjain

.....Workman/Union

Versus

The Deputy General Manager,
State Bank of India,
Zonal Office, Harnidia Road,
Bhopal(MP)

.....Management

AWARD

Passed on this 19th day of June, 2008

1. The Government of India, Ministry of Labour vide its Notification No.L-12012/I07/2004-IR(B-I) dated 17-8-04 has referred the following dispute for adjudication by this tribunal :

“Whether the action of the management of Dy.General Manager, State Bank of India, Bhopal in terminating the services of Sh.Madanlal Parmalia, w.e.f. 15-9-94 is justified? If not, to what relief the workman is entitled for?”

2. In this reference proceeding, no body for the parties put in appearance inspite of sufficient service of notice on them. The reference was proceeding ex parte against workmen/Union and 13-6-08 was the date fixed for filing WS by the management but on the said date, no body put in appearance for the parties and no ex parte WS was filed by the management.

3. Under the above circumstances, the Tribunal was left with no option but to close the reference for award and in this manner, the reference was closed for award.

4. It appears from the above that the parties have no interest in the reference proceeding and perhaps no industrial dispute is left between them. Therefore under the circumstances, it shall be just and proper to pass no dispute award without any orders as to costs.

5. In view of the above, no dispute award is passed without any orders as to costs.

6. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

C. M. SINGH, Presiding Officer

नई दिल्ली, 2 जुलाई, 2008

का.आ. 2012.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ इंडिया के प्रबंधतात्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण जबलपुर के पंचाट (संदर्भ संख्या 264/1997) को प्रकाशित करती है, जो केन्द्रीय सरकार को 2-7-2008 को प्राप्त हुआ था।

[फा. सं. एल-12012/122/1996-आईआर(बी-1)]

एन. एस. बोरा, आर्थिक अधिकारी

New Delhi, the 2nd July, 2008

S.O. 2012.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.264/1997) of Central Government Industrial Tribunal-Cum -Labour Court Jabalpur. as shown in the Annexure, in the industrial dispute between the management of State Bank of India, and their workmen, received by the Central Government on 02-7-2008.

[F. No. L-12012/122/1996-IR(B-1)]

N. S. BORA, Economic Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT, JABALPUR

NO. CGIT/LC/R/264/97

Presiding Officer: SHRI C.M.SINGH

Shri Daulat Ram Raikwar,
S/O Shri Keliram Raikwar,
Resident of Silwani,
Po Silwani,
Distt. Raisen (MP)

—Workman/Union

Versus

The chief General Manager,
State Bank of India, Bhopal.

—Management

AWARD

Passed on this 23rd day of May 2008

1. The Government of India, Ministry of Labour vide its Notification No. L-12012/122/96-IR(B1) dated 4-9-97 has referred the following dispute for adjudication by this tribunal:—

“क्या भारतीय स्टेट बैंक का श्री दोलतराम रैकवार को उनके पिता के स्थान पर अनुकम्भा नियुक्ति देकर और दिनांक 1-1-91 से 22-8-94 तक नौकरी करवाकर अनुचित ढांग से बिना किसी एक्वायरी, रिट्रैंचमेंट कम्पनसेशन आदि के नौकरी से निकाल देना न्यायोचित है ? यदि नहीं तो कर्मकार किस रियायत का हकदार है ?”

2. The case of workman Shri Daulat Ram Raikwar in brief is as follows. That he was appointed on the post of Part-time Waterman in the year 1982 by the Branch Manager, State Bank of India, Silwani, Distt. Raisen (MP). That he continuously worked as such till 1990. That he was in the employment of the management of the Bank as a daily

wager. That Late Shri Kesri Ram Raikwar, father of the workman had also been in the employment of the management on regular post of Waterman. That he was retired from the services of the Bank on 31-12-1990. That after his retirement, the workman was appointed on the regular post of Waterman/Messenger in regular pay scale with other facilities. That since then, he continuously worked as Waterman/Messenger till 22-8-94, the date on which his services were terminated. That before terminating his services, no opportunity of hearing was provided to him. That he was also not given any retrenchment compensation. That he was terminated from services by the Branch Manager, SBI, Silwana, Distt. Raisen, MP on the false ground of being careless in discharging his duties. It is prayed by the workman that the order of terminating him from service be held illegal and he be reinstated in service with all back wages.

3. Vide order dated 2-3-07 passed on the order sheet of this reference proceeding, the case proceeded ex parte against the management. The management failed to file their Written Statement.

4. Workman Shri Daulat Ram Raikwar filed his own affidavit in support of his case.

5. I have heard Shri Mahesh Sharma, Advocate learned counsel for the workman and perused the evidence on record.

6. It is worthwhile to mention here that no written statement has been filed by the management denying the averments made in the statement of claim by the workman, which is indicative of the fact that the management has not put any contest to the claim of the workman. Besides the above, the affidavit filed by the workman in support of his case has remained unchallenged and uncontested. The case of the workman, is therefore, fully proved and established from his affidavit which has remained unchallenged and uncontested. It has not been averred in the statement of claim that after termination of his services, the workman had not been gainfully employed. The workman has also not stated on oath in his affidavit that after his termination from services, he was not gainfully employed, therefore I find myself unable to direct the management to reinstate him in service with back wages but he is entitled to the relief that he may be reinstated in services as order of termination of service is illegal and Improper.

7. In view of the above, the reference is answered in favour of the workman and against the management with costs holding the following—

“भारतीय स्टेट बैंक का श्री दोलतराम रैकवार को उनके पिता के स्थान पर अनुकम्भा नियुक्ति देकर और दिनांक 1-1-91 से 22-8-94 तक नौकरी करवाकर अनुचित ढांग से बिना किसी एक्वायरी, रिट्रैंचमेंट कम्पनसेशन आदि के नौकरी से निकाल देना न्यायोचित नहीं है। अतः कर्मकार बिना पूर्व वेतन के सेवा में पुनः स्थापित किये जाने का अधिकारी है।

8. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

C. M. SINGH, Presiding Officer

नई दिल्ली, 2 जुलाई, 2008

का.आ. 2013.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ इंडिया के प्रबंधतंत्र के संबंद्ह नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण चैम्बर के पंचाट (संदर्भ संख्या 75/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 2-7-2008 को प्राप्त हुआ था।

[फा. सं. एल-12012/27/2006-आईआर(बी-1)]

एन. एस. बोरा, आर्थिक अधिकारी

New Delhi, the 2nd July, 2008

S.O. 2013.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 75/2006) of Central Government Industrial Tribunal-Cum-Labour Court Chennai, as shown in the Annexure, in the industrial dispute between the management of State Bank of India, and their workmen, received by the Central Government on 2-7-2008.

[F.No. L-12012/27/2006-IR(B-1)]

N. S. BORA, Economic Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHENNAI

Monday, the 24th March, 2008

Present : K. JAYARAMAN,
Presiding Officer

INDUSTRIAL DISPUTE No. 75/2006

(In the matter of the dispute for adjudication under clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), between the Management of State Bank of India and their workmen)

BETWEEN

Sri A. Thangavelu : 1st Party/Petitioner
No. 3/46, Housing Unit
Thomas Park
Race Course Road
Coimbatore-641018

AND

The Dy. General Manager : 2nd Party/Respondent
State Bank of India, Zonal Office
Kuriichi Complex State Bank Road
Coimbatore
Appearance:
For the 1st Party/Petitioner : M/s Balan Haridas, R.
Kamatchi Suderasan
For the 2nd Party/Management: M/s V.R. Gopalarathnam

AWARD

The Central Government, Ministry of Labour vide its Order No. L-12012/27/2006 IR(B-1) dated 07-08-2006 referred the following Industrial Dispute to this Tribunal for adjudication.

The schedule mentioned in that order is :

“Whether the action of the Management of State Bank of India, Coimbatore Branch in imposing punishment of removal from services of Sri A. Thangavelu is legal and justified? If not to what relief the workman is entitled to?”

2. After the receipt of the Industrial Dispute, this Tribunal has numbered it as ID 75/2006 and issued notices to both sides. Both parties entered appearance through their Advocates and filed their claim statement and counter statement respectively.

3. The allegations in the claim statement are briefly as follows:

The petitioner was working in the Respondent Bank as Assistant (Accounts/Cash) for more than 17 years in the Ganesapuram branch of the Respondent Bank. While so, by an order dated 23-10-2002, the Respondent suspended the petitioner from the service. A charge sheet was issued on 18-10-2002. Even though the petitioner has submitted an explanation, the Respondent Management proceeded to hold a Domestic Enquiry against the petitioner. The Enquiry Officer who was deputed to enquiry the matter has held the two charges framed against the petitioner have been proved and the Disciplinary Authority imposed the punishment of removal from service with superannuation benefits against the petitioner by its order dated 10-11-2003 in a mechanical manner. The first charge framed against the petitioner was that he has changed the credit voucher on 09-10-2002 relating to one Sri Natarajan A/c No. 9/1605 to one Sri Balasubramanian A/c 1/20 and defrauded the amount. The second charge framed against the petitioner was that the petitioner was in the habit of borrowing money from the customers of the bank. Both the charges are vague and without any particulars. Further, with regard to second charge, there had been no details to the allegation from which customer the petitioner borrowed or when he had borrowed. Only in the enquiry, the Respondent Management has introduced documents through witnesses of whom there is no reference of any sort in the charge sheet. Therefore, based on a case set-up in the enquiry for the first time, the petitioner cannot be punished. Only due to a small clerical error which had happened in the normal course of banking is sought to be alleged as defrauding. The petitioner came to know that there had been mistake in the credit of Rs. 25,000/- in the account of Sri M.P. Balasubramanian which should have been credited in the account of Sri Natarajan. Immediately, he informed M.P. Balasubramanian about this and he has made arrangement to remit the said amount of Rs. 25,000/- in the account of Natarajan. The Branch Manager instead of appreciating the efforts taken by the petitioner to rectify

the mistake unfortunately started witch hunting and made allegations against the petitioner. Further, he was also asked to give a written statement the as dictated by him otherwise he threatened that if the petitioner does not give the said statement then it will result in serious disciplinary proceedings. No other go, the petitioner has given a statement as dictated by the Branch Manager. In the enquiry, the Respondent Management neither examined Sri M. P. Balasubramanian nor examined Sri R. Natarajan who are the two material witnesses. Though, the Respondent Management relied on the alleged letter given by them which was addressed to the Investigating Officer, even the Investigating Officer was not examined. Therefore, the letters being not marked through the author or through the person to whom it was addressed has no evidential value. Therefore, the allegation that the petitioner has defrauded the bank is without any substance. With regard to second charge, it was alleged that the petitioner had borrowed excess amount outside borrowing without prior permission. No doubt, one Sri Selvaraj who is alleged to have advanced money to the petitioner was examined in the enquiry, he was not subjected to cross-examination, therefore, his evidence cannot be taken into consideration. Though, one Sri Swaminathan was examined to prove the second charge, he has not specifically stated the date, place or time when he has supposed to have advanced money to the petitioner. Therefore, the evidence given by him before the Enquiry officer is without any substance. The petitioner's appeal against the order of Disciplinary Authority was dismissed in a most arbitrary fashion and the Appellate Authority without applying his mind has rejected the appeal preferred by the petitioner. The petitioner had rendered 17 years of unblemished record of service and therefore, the punishment imposed by the Respondent authority is grossly disproportionate to the alleged charge and this Tribunal has got every power to interfere in the imposition of punishment under Section-11A of the ID Act. Hence, for all these reasons, the petitioner prays to pass an award to reinstate him service with full back wages, continuity of service and other attendant benefits.

4. As against this, the Respondent in his counter statement contended that the petitioner who was working as Assistant in the Respondent Bank at Ganesapuram branch committed certain misconduct for which the Respondent initiated departmental proceedings and imposed the punishment. The charges framed against the petitioner are (i) that he had changed the credit voucher on 9-10-2002 relating to Sri R. Natarajan A/c No. 9/1605 as Sri Balasubramanian A/c 1/20 and defrauded the amount (ii) that the petitioner has been often in the habit of borrowing money from the customers of the branch which case, if proved would amount to gross misconduct under Para-5(j) of Bipartite Settlement and therefore action was taken against him. Though, the petitioner admitted the charges and has given an explanation, since the explanation was

not satisfactory, departmental action was taken against him and after following the procedures the Enquiry officer had submitted his report dated 05-8-2003 to the Disciplinary Authority. The Disciplinary Authority after following the usual procedure has proposed the punishment of removal from service and after hearing the petitioner imposed the same punishment on him by his order dated 15-12-2003 which was also confirmed by the Appellate Authority by his order dated 16-6-2004. At no stretch of imagination, it can be said as illegal, arbitrary or contrary to law or in violation of principles of natural justice. The Domestic Enquiry was held in just and proper manner after following the principles of natural justice. It is false to state that the petitioner had not made any statement admitting that he having committed the alleged misconduct and he has signed in the dictated statement of the Branch Manager. The said statement was made voluntary without any threat or coercion by the officials. Though, it is alleged that there is no financial loss to the bank, even if there is no financial loss, the misconduct alleged and proved in the enquiry is sufficient to warrant the punishment of removal from the service as in the bank's service devotion and integrity are requirement from any employee. It is false to allege that the letter-dated 28-10-2002 had been marked without giving any opportunity. The document was marked with the consent and therefore, the contents thereof can be construed to be proved. The Disciplinary Authority only after reaching a conclusion that the charges have been proved has imposed the punishment having regard to the nature, content and magnitude of the misconducts alleged and proved in the enquiry. The employment in bank which deals with public money requires trust and confidence and the Respondent Bank has lost the confidence in the petitioner on account of the misconducts committed by him and proved in the enquiry and therefore it will not be safe to retain him in service which will be prejudicial to the interest of the bank, the Respondent prays that claim may be dismissed costs:

The point for determination are:

(i) Whether the action of the Respondent Management in imposing the punishment of removal from service is legal and justified?

(ii) To what relief the petitioner is entitled to?

Point No. 1

5. In this case, the learned counsel for the Petitioner argued that though two charges have been framed against the petitioner, none of the charges have been proved against the petitioner and the Enquiry Officer has come to a conclusion that the charges have been proved on the presumption and assumption and there is not even iota of evidence to establish the charges framed against the petitioner. No doubt, a mistake was crept into in the account of 9/1605 and 1/20 but on any ground it cannot be said that the petitioner has want only done this mistake and defrauded the Respondent Bank. The first charge viz. that

the petitioner has changed the credit voucher dated 9-10-2002 relating to Natarajan's A/c No. 9/1605 as Balasubramanian's A/c No. I/20, there is no mensrea to defraud the bank or the amount. It is only a small clerical error which happened in the normal course of banking which is sought to be alleged as defrauding. Only when the customer Sri Natarajan, SB A/c No. 9/1605 enquired about the cheque for Rs. 25,000/-, it came to the knowledge of the petitioner that there had been a mistake and immediately the petitioner informed the concerned person viz. Sri M. P. Balasubramanian about this mistake and the customer Sri Balasubramanian had made arrangements on the next day to remit the amount of Rs. 25,000/- in the account of Sri Natarajan and it was brought to the notice of the Branch Manager but the Branch Manager instead of appreciating the efforts taken by the petitioner to rectify the mistake done in the accounts started witch hunting and he has made false allegations against the petitioner. In the enquiry, though a charge has been framed against him that the petitioner had defrauded the bank, there is not even an iota of evidence to substantiate this charge of this type. The complainant has not been examined nor the person to whom it was addressed was also not examined. Under such circumstances, no reliance can be placed on the complaint alleged to have been made by the Sri R. Natarajan and therefore the finding of the Enquiry Officer on the basis of the complaint is vitiated. It is further argued on behalf of the petitioner that there had been no financial loss arising either to the customer or to the Respondent Bank, therefore, the first charge levelled against the petitioner is in a most arbitrary manner framed against him. The Respondent Bank in the enquiry introduced an alleged complaint of Sri M. P. Balasubramanian dated 23-10-2002 which was admittedly addressed to the Investigating Officer. Even the Investigating officer was not examined. The very content of the said letter contains allegations which are beyond truth, therefore, this letter being not marked through the author or the person through whom it was addressed has no evidentiary value. Though the Respondent Bank alleged that the petitioner has changed the credit voucher relating to SB A/c No. 9/1605 as SB I/20, the alteration was made from the challan released to the petitioner by the Branch Manager on the reference of the petitioner that the transfer scroll did not tally with the difference of Rs. 25,000/-. Only after accepting the representation made by the petitioner, the Branch Manager has permitted him to change the same, therefore, the petitioner and the Branch Manager were acting bona fide and therefore there is no intention to defraud the bank nor the customer. Under such circumstances, the findings given by the Enquiry Officer and the punishment imposed by the Disciplinary Authority is without any basis and it is perverse. Then the learned counsel for the Petitioner relied on the ruling reported in 2007, WRIT L.R., PAGE 7, B. PADMALAH VS. THE UNION OF INDIA & 6 OTHERS wherein the Division Bench of Madras High Court has held "the impugned order are liable to be set aside. The failure to examine the complainant whose complaint is the basis for the

disciplinary action against the petitioner and the failure to test the veracity of the complaint made against him has resulted in the deprivation of the right of the petitioner amounting to gross violation of principles of natural justice and thereby making the entire disciplinary proceedings vitiated". In view of the above judgement and relying on this judgement, the counsel for the Petitioner contended since neither the complainant nor the person to whom it was addressed were not examined in the enquiry and therefore no reliance can be placed on the complaint alleged to have been made by Sri Balasubramanian and therefore the enquiry in this case is vitiated.

6. No doubt, I find some force in the contention of the learned counsel of the Petitioner but in this case the Respondent Bank has not only placed reliance on the complaint but also on its own records. In that records the corrections were made by the petitioner. Even assuming for argument sake that the petitioner has done a mistake without any intention to defraud the bank, the petitioner need not correct the records maintained by the bank without any enquiry. On that ground alone it is admitted by the petitioner himself that he has made the corrections in the records of the bank. Further, no one can say changing the number from 9/1605 to A/c No. I/20 as a mistake because it cannot be said that this mistake had happened in the normal course of banking as pointed out by the Enquiry Officer and also by the Appellate Authority that the petitioner has want only done the correction and he has defrauded the bank and also defrauded the account holders. No doubt, the Respondent Bank has not examined the account holders and also the Investigating Officer but on this score it cannot be said in this case that the findings of the Enquiry Officer is perverse. The Enquiry Officer from the records has given a finding that the petitioner has want only done the corrections and he has defrauded the bank and also the customer. Under such circumstances, I am not inclined to accept the contention for the learned counsel for the Petitioner that the findings given by the Enquiry Officer is perverse.

7. Then again the learned counsel for the Petitioner argued with regard to the second charge viz. that he was in the habit of borrowing money from the customers of the branch. The Respondent Bank has not produced any document or satisfactory evidence to substantiate this contention. No doubt, the Respondent Bank has examined two witnesses to prove this allegation. Both of them have not established this contention. One of the witnesses who was examined on the side of the Respondent Management though has given an evidence against the petitioner in the Chief Examination, he was not subjected to Cross-Examination and therefore no reliance can be placed on this evidence. The other witness who was examined though has given an evidence that he has given various amounts to the petitioner, he has not substantiated his claim as to when the petitioner has borrowed the amount nor what are the amounts he has paid to the petitioner. Therefore, with

the vague inference being drawn from the evidence of the above witnesses, the Enquiry Officer has come to a conclusion that the two charges has been proved but really there is no basis to substantiate this charge also and therefore, the entire enquiry is vitiated.

8. Here again, I find some force in the contention of the learned counsel for the Petitioner but on consideration of the entire evidence in this case and on perusal of the documentary evidence produced in this case, the cumulative effect of all these will clearly establish that the petitioner has borrowed various amounts from the customers of the bank. Therefore, I am not inclined to accept the contention of the learned counsel for the Petitioner that the finding on this charge is without any basis. As such, I find the action of the Respondent Management in imposing the punishment of removal from service to the petitioner is legal and justified and I find this point against the petitioner.

Point No. 2

The next point to be decided in this case is to what relief the petitioner is entitled ?

9. In view of my foregoing findings that the imposition of punishment of removal from service passed by the Respondent authority against the petitioner is legal and justified, I find the petitioner is not entitled to any relief.

10. Thus, the reference is answered accordingly.

(Dictated to the P.A. transcribed and typed by him, corrected and pronounced by me in the open court on this day the 24th March, 2008).

K. JAYARAMAN, Presiding Officer

Witnesses Examined :—

For the I Party/Petitioner None

For the II Party/Mgmt. None

Documents Marked :—

On the Petitioner's side

Ex. No.	Date	Description
Ex.W1	23-10-2002	Order of Suspension
Ex.W2	18-11-2002	Show Cause Notice
Ex.W3	10-12-2002	Reply given by the petitioner
Ex.W4	20-12-2002	Enquiry Notice
Ex. W5	29-1-2003	Letter of the Petitioner
Ex. W6	7-2-2003	Letter of the Petitioner
Ex. W7	26-5-2003	Letter of the Enquiry Officer
Ex. W8	18-8-2003	Letter of the Disciplinary Authority enclosing the enquiry report
Ex. W9	-	Exhibits marked by the Respondent Bank in the enquiry (17 exhibits)
Ex. W10	10-11-2003	Second Show Cause
Ex. W11	27-11-2003	Representation given by the petitioner in the personal hearing
Ex. W12	15-12-2003	Order of punishment

AWARD

The Central Government, Ministry of Labour vide Order No. L-12012/31//2000-IR(B-I) dated 05-09-2007 has referred the following Industrial Dispute to this Tribunal for adjudication.

The Schedule mentioned in that order is :

“Whether the action of the Management of Lakshmi Vilas Bank Ltd. in terminating the services of Sri V. Kannan, Ex-Messenger, is justified? If not to what relief the workman is entitled to?

2. After the receipt of Industrial Dispute, this Tribunal has numbered it as ID 51/2007 and issued notices to both sides. Both sides entered appearance. The petitioner appears in person and filed his Claim Statement and the Respondent represented by its Advocate and filed their Counter Statement.

3. The allegations in the Claim Statement are briefly as follows:

The petitioner was appointed as a Messenger by the Respondent Management on 13-03-1992 at Thillainagar, Trichy. Till May 1996, the petitioner served as a Messenger in that branch. He was also paid bonus every year as per rules. He became entitled to the benefits like any other regular employees. The petitioner has worked more than 240 days in all these years from 1992 to 1996, under such circumstances, he is entitled to permanency of status of workman under the Respondent Management. When such is the case, the Respondent Management followed an unfair labour practice and thereby became indifferent and also failing to perform the statutory obligation of conferring obligation of conferring permanent status to this petitioner. Hence, the petitioner raised a dispute before the labour, authorities and after its failure of conciliation, the matter was referred to this Tribunal for adjudication. The petitioner therefore prays this Tribunal to confer permanent status to him and thereby regularize his services as Messenger by reinstatement and with full back wages and other benefits.

4. As against this, the Respondent in his Counter Statement alleged that the Respondent is a banking company having registered office at Karur. The Respondent Bank has adequate number of subordinate staff and their services and their wages and other service conditions are governed by Awards and Settlements made at the Industry level. In the Respondent Bank, the leave vacancy of regular sub-staff are filled up by temporary attenders/messengers. As and when regular vacancy of sub-staff arises and the bank decides to fill up the same, temporary sub/staffs are considered for such vacancies. This practice has been in vogue in all the banks including the nationalized banks. In the year 1989, the recognized union representing the award staff wanted a scheme to be framed for empanelment of temporary sub-staff and consider them for permanent vacancies. After its discussion dated 10-11-1989, a settlement was concluded and one of the terms of the settlement was that the temporary sub-staff should be not less than 18 years and not more than 27 years. However, the temporary sub-staff who were ceased to be engaged

on attaining the age of 27 years would also be eligible to be considered for vacancies in permanent sub-staff, if otherwise they are qualified and have passed the interview and test. The engagement and non-engagement of temporary sub-staff is being done strictly as per the terms of the settlement dated 10-11-1989. The petitioner was an empanelled temporary sub-staff of Thillainagar branch in Trichy district of the Respondent Bank. There were 3 other empanelled temporary sub-staff viz. M/s Kandaswamy, Murugappan and V. Natesan. It is not correct to say that the petitioner has worked for more than 240 days in a continuous period of 12 months. The petitioner has worked for 58 days in 1992, 132 days in 1993, 145 days in 1994 and 117 days in the year 1995 and between January 1996 to May 1996, the petitioner was engaged only for 58 days. Since the petitioner was born on 16-05-1969 and since he attained 27 years in 1996, he was ceased to be engaged as temporary sub-staff from 16-05-1996. The Dy. General Manager, Personnel Department of the Respondent Bank by his letter dated 23-06-1996 advised the Manager, Thillainagar branch that the petitioner shall not be engaged as temporary peon from 16-05-1996 as per the settlement. Thus, the engagement of the petitioner as a temporary sub-staff came to an end. The non-employment of the petitioner was pursuant to the settlement dated 10-11-1989 and, therefore, it would not amount to retrenchment and it is fully justified and valid in law and there is no scope to interfere with the same. Even though, the petitioner was disengaged from 16-05-1996, he was permitted to participate in an interview subsequent to that but unfortunately he did not come out successful. Only after a period of 3 years of cessation, the petitioner has raised an Industrial Dispute and that too before the Government labour authorities of the State Govt. Subsequently, he approached the Labour Enforcement Officer of the Govt. of India and since no action was taken on the basis of conciliation failure report, the petitioner filed a Writ Petition in WP No. 3157/2002 and after the direction of the Hon'ble High Court, the Govt. of India referred the Industrial Dispute to this Tribunal. The petitioner has not worked for 240 days in any period of 12 months and there was no question of any conferment of permanency by reason of his having been engaged as temporary attender in the leave vacancy of the regular sub-staff. The petitioner is not entitled to any protection, hence for all these reasons, the Respondent prays that the claim may be dismissed with costs.

Points to be decided in this case are:

(1) Whether the action of the Respondent Management in terminating the services of the petitioner is justified?

(2) To what relief the petitioner is entitled?

Point No. 1

5. The case of the petitioner is that he has worked from 1992—1996 and all of a sudden the Respondent Bank has terminated his services without any notice or compensation and therefore he raised the dispute for regularization and for reinstatement with consequential

benefits. Though, the petitioner alleged that he has worked from 1992—1996 continuously and he worked for more than 240 days in a continuous period of 12 months, he has not produced any document to show that he has worked for more than 240 days in a continuous period of 12 months preceding his disengagement. The petitioner appeared himself and argued that the Respondent Management has got a muster roll, attendance register and other records and they have not produced any documents before this Tribunal to substantiate their claim that the petitioner has worked less than 240 days. Even though, the services of the petitioner was paid to the petitioner through the SB A/c in the bank, no account copy was given to him and, therefore, he is not in a position to produce any documents to establish his case that he has worked for more than 240 days. On the other hand, the Respondent Management even though has got all the documents has purposefully not produced the same only for the reason if those documents are produced before this Court, it will prove against their contention and, therefore, this Tribunal has to take an adverse inference against the Respondent Management.

6. The second contention of the petitioner is, though the Respondent contended that there was a settlement entered into between the Union and the Management on 10-11-1989 and one of the terms of the settlement was that the temporary sub-staff should be not less than 18 years and not more than 27 years and since the petitioner is not a member of the concerned Union, the settlement entered into between the Unidn and the Management will not bind the petitioner and, therefore, they cannot take advantage of the terms of the settlement and disengage the petitioner from the work and, therefore, he prays this Tribunal to regularize him in service of the Respondent Bank and also direct the Respondent Bank to reinstate him with all backwages and consequential benefits.

7. The petitioner examined himself as WW1 but he has not produced any document on his side. On the other hand, the Respondent produced Ex. M1 to Ex. M11 which are the copy of the application made by the petitioner to the bank, the copy of the school certificate given by the petitioner, the copy of the employment exchange registration card and the copy of the letters sent by the Respondent Bank and other documents. The learned counsel for the Respondent contended in this case, it is the case of the petitioner that he had worked more than 240 days and on the other hand the Respondent had denied the contention, therefore, the initial burden of proving that he has worked more than 240 days in a continuous period of 12 months is upon the petitioner. On the other hand, he has not produced any single documents to establish his contention nor produced any satisfactory evidence to prove the same and the learned counsel for the Respondent relied on the ruling reported in 2002, 3, SCC, 25, RANGE FOREST OFFICER VS. S.T. HADIMANI wherein the Supreme Court has held “it was the case of the claimant

that he had so worked but this claim was denied by the Appellant. It was then for the claimant to lead evidence to show that he had infact worked” for 240 days in the year preceding his termination. Filing an affidavit is only his own statement in his favour and that cannot be regarded as sufficient evidence for any Court or Tribunal to, come to the conclusion that a workman had infact worked for 240 days in a year. No proof of receipt or salary or wages for 240 days or order or record of appointment or engagement for that period was produced by the workman. On this ground alone the award is to liable to be set aside”. In this case, though the petitioner argued that an adverse inference is to be drawn against the Respondent Management, he has not taken any steps to summon the Respondent to produce any records to substantiate his claim. He wanted to take advantage that the Respondent has not produced the relevant documents which is not permissible since the initial burden is upon the petitioner to establish his contention and since he has not established his contention with any satisfactory evidence, his contention is to fail before this Tribunal.

8. I find much force in the contention of the learned counsel for the Respondent. Though, the petitioner has alleged that he worked for 240 days in a continuous period of 12 months preceding his termination, he has not produced any single scrap of paper or satisfactory evidence to establish his contention. In the above Supreme Court's decision, the Supreme Court has held the retrenchment compensation will be entitled to the petitioner under Section-25(F) of the ID Act only on completion of requisite length of continuous service and where the workman's claim that he had worked for 240 days in the year preceding his termination was denied by the employer, it was for the claimant to lead evidence to the effect that he had worked for more than 240 days and workman's affidavit or contention was not sufficient evidence for that purpose and set aside the award of the Tribunal.

9. The learned counsel for the Respondent further contended in the year 1989, the recognized union representing the award staffs of the Respondent Bank wanted a scheme to be framed for employment of temporary sub-staff and consider them for permanent vacancy, the said issue was discussed with the Union and after taking into account the implication of the issue, a broad understanding was reached based on which a settlement was concluded. One of the terms of the settlement was that the temporary sub-staff should not be less than 18 years and not more than 27 years. Further, the temporary sub-staff who were ceased to be engaged on attaining the age of 27 years would also eligible to be considered for vacancies in permanent sub-staff, if otherwise they are qualified and have passed the interview and test and after the Respondent Bank's engagement and non-engagement of temporary sub-staff is being done strictly as per the terms of the settlement dated 10-11-1989. Though, the petitioner alleged that he has worked for more than 240

days in a continuous period of 12 months preceding his termination, he has worked only in leave vacancies of regular sub-staff and he has worked only 58 days in 1992, 132 days in 1993, 145 days in 1994, 117 days in 1995 and 58 days in 1996. He has not worked more than that in all these years, under such circumstances, it is false to allege that he has worked for more than 240 days in a continuous period of 12 months. Further though the petitioner alleged that the settlement entered into between the Union and the Management will not bind him as the settlement in package deal entered into by the Union is in the best interest of those workmen and they cannot be said to be unfair or unjust from any angle. Further, settlement by direct negotiation and collective bargaining should be preferred as a best guarantee for industrial peace. Under such circumstances, the contention of the petitioner that the terms of settlement will not bind him is without any substance. I find here again some force in the contention of the learned counsel for the Respondent, though, the petitioner alleged that he was appointed as a Messenger subsequent to the settlement and he was not a member of the Union, the terms of settlement will not bind him, since I consider the settlement is for the best interests of the workmen and it cannot be said unjust or unfair, under such circumstances, the contention of the petitioner that the terms of the settlement will not bind him is without any force.

10. Since it is established that the petitioner was appointed as a temporary workman and appointed on leave vacancy of regular sub-staff, such dispensation of service engaged on daily wages or on temporary basis cannot be said to be as a retrenchment and as such I find under such disengagement the person who have been disengaged cannot claim the benefits under Section-25(F) of the ID Act. In this case, the petitioner has not claimed for reinstatement of the previous post, on the other hand, he wants to regularize his services in a permanent post which cannot be done by this Tribunal because such regularization can be done only as per the sanctioned or permanent post. In this case, since the petitioner has not established the fact that he has worked for more than 240 days in a continuous period of 12 months preceding his disengagement and since the petitioner has not established that there are regular vacancies in the Respondent Bank, I am not inclined to accept his contention that he is entitled for regularization and for reinstatement in service. As such, I find this point against the petitioner.

Point No. 2

The next point to be decided in this case to what relief the petitioner is entitled?

11. In view of my findings that the action of the Respondent Management in terminating the services of the petitioner is justified, I find the petitioner is not entitled to any relief prayed by him.

12. Thus, the reference is answered accordingly.

(Dictated to the P.A., transcribed and typed by him, corrected and pronounced by me in the open court on this day the 16th May, 2008)

K. JAYARAMAN, Presiding Officer

Witnesses Examined :—

For the I Party/Petitioner : WW1 Sri V. Kannan

For the II Party/Management : MW1 Sri M.V. Sundar

Documents Marked :—

On the petitioner's side

Ex. No.	Date	Description
		Nil
For the II Party/Management		
EX.No.	Date	Description
EX.M1	-	Copy of representation for appointment as temporary peon post
Ex.M2	-	Copy of Transfer Certificate of ER Higher Secondary School, Trichy
EX.M3	26-09-1990	Copy of Employment Exchange registration
EX.M4	13-03-1992	Copy of bank's letter
Ex.M5	08-07-2002	Copy of the letter sent by the Respondent Bank called for interview
Ex.M6	07-08-2002	Copy of the bio-data given to the bank.
Ex.M7	29-11-1999	Copy of the respondent's reply letter for the dispute raised before the labour authorities
Ex.M8	10-11-1989	Copy of minutes of discussion between the Lakshmi Vilas Bank Employees' Union and the Respondent signed on 11-07-1990
Ex.M9		Copy of statement of temporary peons engaged- total days worked till Dec. 1992, Dec., 1993 and monthwise statement from Jan. 1994 to May 1996
Ex.M10	23-04-1996	Copy of letter from Personnel Department ... Thillainagar branch of the Respondent Bank advising deletion of the petitioner's name from the panel of temporary person w.e.f. 15-05-1996 on his completing 27 years of age
Ex.M11	July 1999	Copy of conciliation petition filed by the petitioner

नई दिल्ली, 4 जुलाई, 2008

का.आ. 2015.—औद्योगिक विवाद अधिनियम, 1947-(1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सांख्य इंस्ट्रून रेलवे के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण कोलकाता के पंचाट (संदर्भ संख्या 03/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 04-07-08 को प्राप्त हुआ था।

[फा. सं. एल-41012/73/2006-आईआर(बी-I)]

एन. एस. बोरा, आर्थिक अधिकारी

New Delhi, the 4th July, 2008

S.O. 2015.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 03/2007) of the Central Government Industrial Tribunal-cum-Labour Court, Kolkata as shown in the Annexure, in the industrial dispute between the management of South Eastern Railway, and their workmen, received by the Central Government on 04-07-2008.

[F. No. L-41012/73/2006-IR(B-I)]

N. S. BORA, Economic Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT KOLKATA

Reference No. 03 of 2007

**Parties : Employers in relation to the management of
South Eastern Railway**

AND

Their workmen.

Present : Mr. Justice C. P. Mishra, Presiding Officer

Appearance :

On behalf of the Management : None

On behalf of the Workmen : None

State : West Bengal. Industry : Railway.

Dated : 25th June, 2008

AWARD

By Order No. L-41012/73/2006 IR(B-II) dated 11-04-2007 the Government of India, Ministry of Labour in exercise of its powers under Section 10(1)(d) and (2A) of the Industrial Disputes Act, 1947 referred the following dispute to this Tribunal for adjudication :

“Whether the action of the management of South Eastern Railway, Garden Reach, Kolkata in not regularizing the services of 275 porters of Kharagpur Division is justified ? If not, what relief the concerned workmen are entitled to ?”

2. When the case is called out today, none appears for either side. It, however, appears that an application has been received in the office from the union concerned on 17-06-2008 stating that as per the order of the Railway Board, Government of India, Ministry of Railways vide Memo No. E(NG) 11/2008/RR-3/1 dated 01-04-2008 most of the porters at Kharagpur have been absorbed and the proceedings is still under process to absorb the remaining porters in the Railways and, therefor, it is prayed that the present case be dropped. A copy of the order of the Railway Board as stated above has also been enclosed to the application. It is accordingly clear that the claim of the workmen has already been redressed and thus they are no longer interested in the present dispute under reference.

3. In such view of the matter this Tribunal has no other alternative but to dispose of the present reference by passing a “No Dispute” Award. A “No Dispute” Award is accordingly passed and the reference is disposed of.

C. P. MISHRA, Presiding Officer

नई दिल्ली, 4 जुलाई, 2008

का.आ. 2016—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार टीएनएमएजी, सालेम के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/प्रम म्यायालय चेन्नई के पंचाट (संदर्भ संख्या आई.डी.-62/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 04-07-08 को प्राप्त हुआ था।

[फा. सं. एल-29011/96/2002-आईआर(एम.)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 4th July, 2008

S.O. 2016.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. I.D.-62/2003) of the Central Government Industrial Tribunal/Labour Court Chennai now as shown in the Annexure, in the industrial dispute between the employers in relation to the management of TANMAG, Salem and their workmen, which was received by the Central Government on 04-07-2008.

[F. No. L-29011/96/2002-IR(M)]

KAMAL BAKHRU, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT CHENNAI

Thursday, the 31st January, 2008

Present : K. JAYARAMAN, Presiding Officer

INDUSTRIAL DISPUTE No. 62/2003

(In the matter of the dispute for adjudication under clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), between the

Management of Tamil Nadu Magnesite Ltd. and their Workmen)

BETWEEN

1. The General Secretary,
Salem Mavatta Anna Thozhir Sangam
Arisipalayam
Salem-636009
2. The General Secretary,
Magnesite Thozhilalar Munnetra Sangam
Vellakkalpatty P.O.
Salem-636012
3. The General Secretary,
Magnesite Workers Union
3/138, Mamangam
Salem-636002
4. The General Secretary,
Pattali Thozhir Sangam
Arabic College Building
Vellakalpatti Post
Salem-12
5. The General Secretary,
Magnesite National Labour Union
52, Dr. Subbarayan Road
Salem-636001 : I Party/Petitioners

Vs.

The Managing Director
TANMAG
5/53, Omalur Road Jagirammapalayam
Salem-636012 : II Party/Respondent

Appearance :

- For the Petitioners I to 3 & 5 : S. Vaidyabathan
For the Petitioner No.4 : A. Nagarathinam
For the Management : Sri M. R. Faghavan

AWARD

The Central Government, Ministry of Labour vide its Order No. L-29011/96/2002-IR(M) dated 31-03-2003 has referred the following Industrial Dispute to this Tribunal for adjudication.

The schedule mentioned in that order is :

“Whether the action of the management of TANMAG in denying ex-gratia to their employees for the accounting year 2000-01 amount to violation of Section-9A of the Industrial Disputes Act ? If so, to what relief the concerned workmen are entitled ?”

2. After the receipt of the reference, it was taken on the file by this Tribunal as I.D. No. 62/2003 and notices were issued to both the parties. At the 1st instance, the Respondent remained absent and set ex-parte and ex-parte award was passed. Subsequently as per the directions of High Court, the Industrial Dispute was restored to file and both parties filed their Claim Statements and Counter statements respectively.

3. The 1st, 2nd, 3rd and 5th Petitioner Unions have filed a common Claim Statement in which they alleged that they are the workmen of TANMAG and the Respondent/Management have been paid ex-gratia payment in cash and pongal gift in kind each year in addition to minimum bonus of 8.33% even in the absence of available surplus under the Payment of Bonus Act in the every concerned year as a customary and it is constituted (condition of service) as a concession in usage. While the payment of ex-gratia has been made customary, the Respondent/Management has denied the existing customary payment to workman for the year 2000-01. The Petitioner Union and other unions raised demands for payment of bonus and usual customary ex-gratia payment and Pongal gift, but it was denied by the Respondent/Management. Being the payment of ex-gratia amounts to effecting a change in the service condition of workmen, without giving notice under Section-9A of Industrial Disputes Act, 1947, the Respondent/Management violated the provisions of Industrial Disputes Act, 1947. The 4th Schedule to Industrial Disputes Act, 1947 enumerated 11 items as falling under ‘conditions of service’ for change of which notice has to be given. Item 8 of 4th Schedule attracts this dispute namely “withdrawal of any customary concession or privilege or change in usage”. For over a decade, this practice of customary concession as a gesture of goodwill was given to the workers and it was made in order to maintain higher productivity, industrial peace and harmony. Therefore, the denial of this ex-gratia payment and Pongal bonus clearly amounts to change in conditions of service under Section-9A of Industrial Disputes Act, 1947. This practice was in vogue from 1989-90. Even in the year 1999-2000 minimum bonus of 8.33%, ex-gratia of 11 % and Pongal gift of Rs. 300/- was paid. Hence, it is prayed that this Tribunal may be pleased to pass an award in their favour.

4. The 4th Petitioner Union in their Claim Statement has alleged that in the year 2000-01 the management has allotted Rs. 27,71,875/- for payment of bonus in Schedule 13 of Annual Report. Even in spite of this the Respondent/Management refused to provide bonus to workmen. The State Govt. by an order in G.O. MS No. 442 dated 9-11-2001 directed to pay bonus as per the Payment of Bonus Act. It is alleged by the II Party/Management that the said G.O. does not state anything as to the payment of ex-gratia amount to workmen and therefore, workers were denied the payment of ex-gratia by the Respondent/Management. The Petitioner Union states the order of Govt. of Tamil Nadu dated 9-11-2001 is not binding on the 2nd Party/Management and therefore, the Respondent/Management should not deny the payment of ex-gratia to workmen on this reason. Hence, the Petitioner Union prays that an award may be passed in their favour to pay ex-gratia amount to workmen for the year 2000-01.

5. As against this, the Respondent in its Counter Statement alleged that the Respondent/Management is a Govt. company, formed in accordance with Section-617 of Companies Act and it is bound by various circulars and

notifications issued by the Govt. The employees of the Respondent Company are members in those unions. When the members of the trade union have raised demands for the accounting year 2001-02 the matter was pending before the Conciliation Officer and the Govt. issued a G.O. that payment of Bonus Act alone would govern the matters of payment of bonus to its employees and it was made clear that Respondent Company has no alternative but to follow the Govt. directions and make payment only in accordance with the same. Therefore, there is very little scope for the Respondent to effect payment contrary to the express directions issued by State Govt. Therefore, the claim of the workmen is not maintainable. Further, ex-gratia is not an accrued right. The workman would have any right to demand ex-gratia. The payment of ex-gratia is not authorized by statute. When such is the position, the claim for ex-gratia payment is not tenable and therefore, it is liable to be rejected. When the workman would not have any right to claim any benefit merely because the management concedes certain benefits as ex-gratia, it would not automatically become a customary concession or a condition of service. Once it is not a condition of service, the union is not entitled to any notice under Section-9A of I.D. Act. In this case, there is no proper espousal of the case and there is no proper authority granted to raise demand or dispute. The allegation that ex-gratia payment may be regarded as annual concessional payment beyond the provisions of Payment of Bonus Act for higher productivity and industrial peace and harmony is misconceived. Therefore, the Petitioner is not entitled to ex-gratia as alleged by them and hence, their claim is liable to be rejected with costs.

Points for determination are :

- (i) Whether the action of the Respondent/Management in denying ex-gratia to their employees for the accounting year 2000-01 amounts to violation of Section-9A of the Industrial Disputes Act?
- (ii) To what relief the concerned workmen are entitled ?

Point No.1.

6. The case of the Petitioner in this case is the workmen of the Tamil Nadu Magnesite Ltd. have been paid ex-gratia payment in cash and Pongal gift in kind each year in addition of minimum bonus of 8.33% even in the absence of available surplus under the Payment of Bonus Act in the every concerned year as customary and it constituted condition of service as a concession in usage. The Petitioner further contended that payment of ex-gratia in addition to bonus payable under Payment of Bonus Act for over a decade was in practice as customary concession and as a gesture of goodwill in order to maintain higher productivity, industrial peace and harmony. Certain percentage of money on annual gross wages varying year to year and this payment is in custom, usage and practice and became a condition of service of workmen and therefore, denial of the same for the year 2001-02 clearly

amounts to change in condition of service. Further, the Secretary of the 5th Petitioner Union one Mr. V. K. Nallamuthu was examined as WW1 and through him five documents namely copy of the conciliation failure report Ex. W5 copy of the G.O. No. 442 dated 09-11-20001, Ex.W1, copy of notice of Petitioner Union to Respondent dated 23-11-2001 Ex. W2, copy of minutes of conciliation proceedings dated 12-12-2001 Ex.W3 and copy of G.O. Ms. No. 1558 dated 13-05-2002 Ex.W4 were marked. The first witness of the Petitioner says for the year 1989-90 the Respondent/Management paid bonus of 8.33% and ex-gratia amount @ 9.67% besides a Pongal gift in kind in order to maintain higher productivity. Similarly, in the year 1990-91 ex-gratia payment @ 10.67% besides a Pongal gift in kind worth Rs. 160 was paid and for the year 1991-92 the Respondent/Management paid ex-gratia @ 11.42% besides a Pongal gift in kind worth Rs. 160 was paid. Similarly, for the years 1992-93 and 1993-94 ex-gratia payment @ 9.67% and 8.33% respectively and Pongal gift in kind worth Rs. 200 and Rs. 175 respectively were paid and for the year 1994-95 ex-gratia payment @ 8% besides Pongal gift was given. For the year 1995-96 ex-gratia payment @ 9% besides a Pongal gift in kind worth Rs. 300 was paid and for the year 1996-97 ex-gratia totalling 18.33% and Pongal gift in kind worth Rs. 300 was paid. For the year 1997-98, ex-gratia payment of 10% and Pongal gift in kind worth Rs. 300 was paid. Similarly in 1998-99 ex-gratia payment of 11 % was paid and for the year 1999-2000 ex-gratia payment of 11 % and Pongal gift of Rs. 300 was paid. For the year 2000-01 the management refused to pay ex-gratia and Pongal gift to the workmen. Thus, from the years 1989-90 to 1999-2000 payment of ex-gratia and Pongal gift was made as customary practice and it constituted a condition of service.

7. On the side of the Petitioner, it is argued that ex-gratia is not out of gratis nor out of sweetwill of the management but a product of bargaining between the workmen and the management and regarded as legitimate annual concessional payment beyond the provisions of Payment of Bonus Act for the reason of higher productivity and industrial peace and harmony and, therefore, this payment cannot be denied to workmen who were enjoying for over a decade by custom, usage and practice which has become condition of service which cannot be altered by denial of the same to the detriment of the workmen without giving any notice under Section-9A of the I.D. Act and therefore, it is unjust and unfair and unlawful.

8. But, as against this, on the side of the Respondent/Management one Mr. Shanmugasundaram, Dy. Manager (Accounts) in-charge of Finance and Accounts Department was examined as MW1 and through him the copy of G.O.Ms. No. 462 dated 26-10-1999 marked as Ex.M1, the copy of the settlement under Section 18(i) for the year 1998-99 was marked as Ex.M2, the copy of G.O.Ms No. 431 dated 19-10-2000 was marked as Ex.M3, the copy of the settlement under Section 18(i) for the year 1999-2000 is marked as Ex.M4, the copy of the G.O.Ms No. 442 dated 09-11-2001 for the year 2000-01 was marked as Ex.M5 and

the copy of the Article of Association of the Respondent Management dated 19-01-1979 was marked as Ex.M6. On behalf of the Respondent, it is contended that the Respondent/Management is wholly owned by Tamil Nadu Govt and since the Govt. has not passed any orders with regard to ex-gratia, payment of ex-gratia for the accounting year 2000-01 was not paid. According to the G.O. under Ex.M5, the Respondent has to pay only bonus according to Payment of Bonus Act. Therefore, they have not paid ex-gratia during that period. It is further argued that the Respondent/Management is bound by the orders of Tamil Nadu Govt. and Articles of Association. Article 22 clearly says that Respondent/Management is bound by the orders/instructions of Govt. of Tamil Nadu and therefore, this claim of the Petitioner is not valid and maintainable.

9. On behalf of the Petitioner it is contended that though it is stated that the Respondent/Management is bound by instructions, it is admitted by MW1 that the Govt. has sanctioned some amount as bonus even when the Respondent/Management was in financial difficulty. It is further admitted by MW1 that even while the Respondent/Management was running into loss, they have entered into settlement with regard to wage revision. Further, it is established by the Petitioner that even while the Respondent/Management was in financial crisis, they have paid ex-gratia to the employees and this payment of ex-gratia which was paid over a decade has become a customary practice and therefore, the denial of this customary practice is unlawful. Further, as per Item 9 of IV Schedule withdrawal of any customary concession or privilege or change in usage amounts to condition of service for change in which notice is to be given under Section-9A of the I.D. Act. In this case it is clear case of the Petitioner that no notice under Section-9A was given to the Petitioner Union and therefore, unilateral withdrawal of ex-gratia payment is not lawful. Therefore, the Petitioner Union is entitled to get relief in this case.

10. I find some force in the contention of the learned counsel for the Petitioner because, though the claim of ex-gratia is not an accrued right, the claim of the Petitioner namely payment of ex-gratia in addition to bonus under Payment of Bonus Act for over a decade as practice and customary concession and as a gesture of goodwill and in order to maintain higher productivity, industrial peace and harmony, this was given to the workmen, thus, it is varying from year to year. This payment of ex-gratia is in custom, usage and practice and thus, it has become condition of service of workmen and denial of the same clearly amounts to change in condition of service under Section-9A of the I.D. Act. Though, the claim of the Petitioner @ 11% as ex-gratia and Pongal gift for worth of Rs. 300 as a custom is not established before this Tribunal, total withdrawal of ex-gratia which amounts to withdrawal of service conditions and therefore, necessarily requires notice under Section-9A of the Act. But, in this case, it is alleged by the Respondent/Management that since the Respondent/Management is a Government company formed under

Section-617 of Companies Act and it is bound by circulars and notifications issued by the Govt. from time to time and therefore, the Respondent/Management is bound by G.O. No. 349. But, I find since the payment of ex-gratia has become a custom and this custom cannot be withdrawn without giving notice under Section-9A of the I.D. Act, the Petitioner is entitled to the relief. Though the Petitioner has claimed payment of ex-gratia @ 11%, I find 8.33% of ex-gratia is just and reasonable besides Pongal gift in kind worth of Rs. 300. Therefore, I find the Respondent's refusal to pay ex-gratia for the accounting year 2000-01 is not justified and the members of the Petitioner Union are entitled to the payment of ex-gratia @ 8.33% and Pongal gift of Rs. 300.

Point No.2

The next point to be decided in this case is to what relief the members of the Petitioner Union are entitled ?

11. In view of my foregoing findings, I find the members of the Petitioner Union are entitled to ex-gratia @ 8.33% and Pongal bonus in kind worth of Rs. 300 for the accounting year 2001-02. No Costs.

12. Thus, the reference is answered accordingly.

(Dictated to the PA, transcribed and typed by him, corrected and pronounced by me in the open court on this day the 31st January, 2008)

K. JAYARAMAN, Presiding Officer

Witnesses Examined :—

For the I Party/Petitioner : WW1 Sri V.K. Nallamuthu
For the II Party/Management : MW1 Sri A.

Shanmugasundaram.

Documents Marked :—

On the petitioner's side

Ex. No.	Date	Description
Ex.W1	09-11-2001	G.O. No. 442
Ex.W2	23-11-2001	Notice of the Union to the Respondent Management with Annexure
Ex.W3	12-12-2001	Minutes of conciliation proceedings
EX.W4	13-05-2001	G.O.Ms. No. 158
Ex.W5	07-10-2002	Conciliation failure report.

From the Management side :—

Ex. No.	Date	Description
Ex.M1	26-10-1999	G.O. Ms. No. 462
Ex.M2	03-12-1999	Settlement under section 18(i) for the year 1998-99
Ex.M3	19-10-2000	G.O. Ms. No. 431
Ex.M4	20-10-2000	Settlement under Section 18(i) for the year 1999-2000
Ex.M5	09-11-2001	Government Order No. 442 for the year 2000-01
Ex.M6	19-01-1979	Article of Association of the Respondent.

(1)	(2)	(3)	(4)	(1)	(2)	(3)	(4)
1.	Aagasaud (Contd.)	1111	0.0020	2.	Puraina (Contd.)	349/2	0.2088
		1120	0.0100			348	0.0504
		1112	0.0504			330/1	0.1100
		1113	0.0468			330/2	0.0800
		1105	0.0288			331	0.0420
		1104	0.0504			332	0.0040
		1103	0.0216			329	0.0504
		1068	0.2268			328	0.2520
		1069	0.0720			327	0.2088
		1070/2-4-5	0.1656			337	0.0020
		1070/3	0.0576			239	0.5472
		1070/1	0.0648			238	0.0144
		1053	0.1440			52	0.2304
		1081	0.0050			55	0.0050
		1079	0.0360			56	0.0050
		1052	0.0504			47	0.0576
		1050	0.1152			54	0.2664
		1045	0.1224			43/2	0.1584
		1046	0.2088			43/1	0.1440
		1042	0.0144			39/2	0.1224
		1036	0.2664			39/1	0.1296
		1037	0.1512			64/2	0.0432
		1035	0.0216			64/5	0.2232
2.	Puraina	516/1	0.2376			64/4	0.0936
		516/4	0.0576			64/6	0.3024
		515	0.0040			65	0.2736
		514	0.0020	3.	Besarakasoi	386	0.2684
		513	0.2664			385	0.1512
		512	0.0876			384	0.0200
		373	0.1296			389	0.0286
		360	0.0144			392	0.0200
		375	0.0504			391	0.2952
		377/1	0.2376			398	0.3168
		374	0.1080			399	0.2736
		377/3	0.0576			397	0.0720
		378/1	0.2000			499	0.0144
		379	0.1250			412	0.4320
		378/2	0.0020			413	0.3600
		356	0.0650			110/2	0.1440
		355	0.2520			110/1	0.1512
		352	0.2376			109	0.4104
		351/2	0.0216			108	0.0144

2644 GI/08-25

(1)	(2)	(3)	(4)	और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 13 मई, 2008 को उपलब्ध करा दी गई थीं;
4.	Bagharupa	17	0.0144	और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन, केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;
		42/1	0.1080	और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात्, और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिये अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;
		43	0.2592	
		52	0.0432	अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है;
		44/1	0.0020	
		45	0.3384	
		37	0.0144	
		39	0.0040	
		38/3	0.2160	
		38/2	0.1296	
		38/1	0.0648	
		33	0.1152	
		34/1	0.2304	
		34/3	0.0936	
5	Dhhana	16	0.1440	
		17	0.0020	
		15	0.3384	
		13	0.0144	
		12	0.1008	
		11	0.0288	
		10/3	0.1008	
		10/4	0.0396	
		10/9	0.0180	
		10/7	0.1584	
		10/5	0.1008	
		10/6	0.0576	
		8	0.1728	

[F. No. R-31015/6/2008 OR-II]

A. GOSWAMI, Under Secy.

नई दिल्ली, 21 जुलाई, 2008

का. आ. 1989.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 304 तारीख 12 फरवरी, 2008, जो भारत के राजपत्र तारीख 16 फरवरी, 2008 में प्रकाशित की गई थी द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में मध्य प्रदेश राज्य में बीना संस्थापन से राजस्थान राज्य में कोटा तक पेट्रोलियम उत्पादों के परिवहन के लिए बीना-कोटा पाइपलाइन परियोजना के माध्यम से भारत पेट्रोलियम कारपोरेशन लिमिटेड द्वारा एक पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन के अपने आशय की घोषणा की थी;

अनुसूची			
तहसील : बारां	जिला बारां	राज्य : राजस्थान	
क्र. सं. ग्राम का नाम	सर्वे नंबर	क्षेत्रफल हैक्टेयर में	
(1)	(2)	(3)	(4)
1. बामला	233	0.0558	
	257	0.2736	
	256	0.2268	
	259	0.2000	
	261/1643	0.1640	
	261	0.0055	
	262	0.2030	
	263	0.0060	
	359	0.0830	
	358	0.0144	
	356	0.1640	
	355	0.0660	
	357	0.1350	
	354	0.0020	
	376	0.0590	
	395	0.1190	
	396	0.0920	
	397	0.0920	
	405	0.0020	
	406	0.2645	
	407	0.0640	

the same unilaterally. The HRA and SLS forms inbuilt service condition of the employees and therefore the same cannot be altered, modified without giving a notice of change under Section 9-A of the ID Act and since the same was not followed, the entire action is void ab-initio. The allegation that SLS is a welfare measure with recognized union under code of conduct came to be known to the petitioner union only recently. It is false to allege that SLS is a welfare measure. It is one of the allowances which is being paid in lieu of HRA and is considered to be a part of the wages as defined under Section 2(rr) of the ID Act. From the Memorandum of Settlement signed on 11-09-2001, it can be seen that SLS was part of settlement, it is therefore an afterthought of the Management that the SLS was a welfare measure. All the unions in the Marketing Division has included one of the demand on the "common charter of demands" that SLS amount should be increased from 40 to 60% in the metropolitan cities. During the discussions, the Management had never claimed that this demand was not negotiable, on the contrary the notional basis by mutual discussion for the limited purpose of SLS. At present, SLS is prevalent in all the Oil Companies and the amount is paid at 40%. About 48% employees have so far availed benefit of this scheme. Hence, for all these reasons the first party prays to pass an award not to change the SLS formula w.e.f. 1-6-1998.

4. The second petitioner union in their claim statement alleged:

The Respondent Management unsuccessfully filed a Writ Petition 3280 of 2002 in the Madras High Court for a mandamus restraining the petitioner union from going on strike. Further, on 11-02-2002, the High Court refused to grant injunction restraining the members of the petitioner union from going on strike. Even before the present settlement dated 11-09-2001, the All India Unions including the petitioner union gave a common charter of demands dated 7-4-2000, Clause-9 related to SLS and they demanded that the rate of ceiling in SLS should be 60% of the maximum basis of the relevant grade. Discussions were held in Goa and Delhi and the notional maximum for Grade-I and II will be considered only for the purpose of payment under SLS. When the L TS dated 11-09-2001 was signed, revision of wages for calculation of rent was mentioned in Annexure-III of the settlement and thereby making it clear that the existing SLS was modified only to that extent. Though, persons drawing HRA were given arrears from 1-6-1998 but those who covered by SLS were not paid arrears of SLS based on the revised notional maximum basic of the relevant grade. Only by the circular dated 14-12-2001, the Respondent Management unilaterally reduced the rates by 10% that too w.e.f. 1-6-1998. Two other PSUs i.e. the Indian Oil Corporation Ltd and Hindustan Petroleum Corporation Ltd., the same percentage as was in vogue earlier is being followed. The same percentage is also being given in Cochin Refineries Ltd. which is a

subsidiary of Bharat Petroleum Corporation Ltd. That pursuant to strike notice dated 24-12-2001 and 28-01-2002, conciliation proceedings were held before RLC and ALC on 4-1-2002, 16-01-2002 and 31-01-2002. Therefore, the Management was bound to maintain the same conditions of service as before, otherwise it would be contrary to Section-33 of the ID Act. In all other respects, this petitioner union has raised the same issue as that of first petitioner union.

5. The third petitioner union adopts the claim statement of the second petitioner union.

6. In the counter statement the Respondent alleged that the Respondent Corporation is a Govt. of India undertaking incorporated as a Company under the Companies Act. The employees of the Respondent are classified as those in the Management cadre and those in the Non-Management cadre i.e. workmen category. In the year 1985-86, it was decided that the wages, allowances and other service conditions of the employees falling under the workman category might be negotiated at all India level and such LTS be uniformly made, applicable to all the workmen throughout the country and LTSs were made on 22-08-1986, 25-03-1991 and 07-04-1995 and these settlements covered the period from 1-6-1985 to 31-05-1998. There are 11 grades in the Non-Management cadre and the employee at the entry level i.e. Grade-I are required to possess an educational qualification of the class pass. In order to improve the standard of living of all the employees, Respondent Management used to voluntarily introduce welfare measures and it was introduced and extended at the discretion of the Respondent Management and they are not to be part of service conditions, they are never made subject matter of negotiations with unions representing the workmen. Such welfare measure includes (i) Housing loan (ii) Vehicle loan (iii) Medical benefits for self and dependent family members (iv) Computer loan (v) Educational assistance (vi) Furniture loan (vii) Family planning incentive (viii) Long service awards (ix) Scholarship and (x) Festival advance. The Officers and Managers of the Respondent Management prior to 1991 were paid HRA, which was certain percentage of basic salary and in case of Officers to whom accommodation was provided, standard rent was recovered with no payment of HRA. As it was increasingly difficult for Corporation to provide accommodation to its Management staff, it was felt that the introduction of SLS would go a long way in reducing the dependency on the Company & therefore it was mooted where in case of such employees, their premises would be taken on lease and paid a monthly rent coupled with maintenance allowance which would be beneficial to both individual and Company. Thus, SLS was introduced for Managers and above in the year 1991 and for Officers in the year 1992. In the year 1995 by a circular dated 16-8-1995, the SLS for Officers was amended providing for a rental ceiling ranging from 25% to 40% of

the maximum basic pay of the relevant grade. Pursuant to that scheme, all the then existing leases between the Management staff and the Respondent Corporation were terminated and such of those who want to avail the benefits of the revised SLS executed a fresh lease deed incorporating the terms of SLS. In other words, the terms of lease deed executed pursuant to 1991-1992 were strictly adhered to till they were terminated and a fresh lease was executed. The salient features of SLS are (i) rental ceiling as percentage of maximum basic of the relevant grade as against the HRA which is fixed as percentage of the actual basic pay of the employees. Thus, while the SLS payment would remain constant as against HRA which varies every year according to every change in the Basic Pay. (ii) Another feature of the SLS is that it will be extended to employees whose performance is satisfactory. It will be withdrawn/not been extended to employees who remains absent without leave for more than 30 days at any point of time in the preceding 12 months. The facility will also be withdrawn when disciplinary proceedings is initiated against any employee who is covered by this scheme. Thus, it will be evident that the SLS is not a part of conditions of employment of Officers or the conditions of service of workmen. It is purely tenancy arrangement covered by mutual agreement. In the year 2000 vide circular dated 11-04-2000 the salaries of Officers were revised w.e.f. 01-01-1997. With the introduction of new pay-scales for Management staff the Corporation felt the rental ceiling under SLS need to be rationalized keeping in view the imbalances between HRA and rental ceiling under the SLS. Accordingly by a circular dated 7-9-2000, the rental ceiling was revised to 15% to 30% of the maximum basic pay of the relevant salary scale plus Standard Rent Recovery. Accordingly, letters were issued to Officers availing self lease facility advising them about revised rental ceilings and changes in SLS agreement. They also advised to execute fresh lease deed as per the revised scheme. While so, in the year 1995, the Respondent voluntarily decided to extend the SLS as applicable to Officers even to the employees under workmen category. Accordingly from 01-01-1995, it was extended to the employees of workmen category, which provides for a rental ceiling between 25% to 40% of the maximum basic pay in the relevant grade. In the year 2000, when the SLS for Officers was revised from the then existing rental ceilings of 25% to 40% to 15% to 30% and Corporation decided to implement it to the employees of the workmen category as and when their scales of wages come up for revision. The next settlement was made on 11-09-2001 revising the scales of pay from 01-06-1998. After the settlement dated 11-09-2001, the revised formula of SLS viz. 15 to 30% had to be implemented. Accordingly, circular dated 14-12-2001 was issued to the workmen advising them in detail about the lease rental and maintenance charges under the SLS. The SLS is only optional in lieu of payment of HRA and therefore no employees in any category can compel the Corporation to

extend the SLS and if anyone wants to avail the SLS, he should execute a lease deed. It is only by mutual agreement. It is not open to any employee to accept one part of the SLS which is convenient to him and refuse the other terms thereof. The benefits of SLS which an employee may be enjoying, would cease to exist if he/she is transferred to location outside the city/town where his/her home is located. If really, the SLS is projected as a condition of service, then the employee is availing SLS should really be recipient of SLS benefits regardless of his posting and for his entire tenure of his employment but it is not the case when the employee gets transferred. No doubt, in the charter of demands dated 7-4-2000, the petitioner union demanded the SLS be revised upward to 60% of the maximum basic pay but Clause-I of the settlement dated 11-09-2001, it is stipulated that in consideration of the unions (a) dropping all demands contained in the individual union's charters & common charter of demands not specifically covered under the terms of settlement (b) withdrawing as settled, all proceeding pertaining to items covered by this settlement pending either in conciliation or before any Court (c) agreeing not to raise or pursue during the period of settlement any demands involving directly or indirectly any additional financial commitment in respect of items covered under this settlement. If the demand of the petitioner union is to be accepted then it will create an anomalous situation whereby an employee in the Officer category and the employee falling under the workman category receiving the same basic pay, the workmen will get a higher rental than the Officers. Therefore, the demand for revising the rental ceiling of SLS was dropped as per Clause-I (a) of the settlement dated 11-09-2001 and therefore, the said demand is not maintainable in law and the same should be not be countenanced. The SLS is optional to both parties and any revision of rent can take place only by replacing the existing lease agreement by new lease agreement and it is not open to either of the parties to seek substitution of terms of lease during the currency of the lease agreement and therefore the demand of the petitioner unions, the lease agreement entered into by the employees in the workmen category in terms of SLS 1995 will have to be continued unless it is mutually substituted by another agreement. Therefore, putting forward the demand covered by the order of reference, the petitioner union cannot compel the Respondent Corporation to enter into fresh lease deed altering the terms of lease which is inconsistent with the circular dated 14-12-2001. Even during the discussion which preceded the settlement dated 11-09-2001, the Respondent clearly informed the union that the Management would not discuss the issue of SLS as it was voluntarily introduced as a welfare measure. Since SLS is a welfare measure the Respondent is entitled to review the same for future application. The SLS agreement is only contractual and not a service condition. Since SLS was not a part of service conditions, there was no need to give any notice under

Section 9-A of the ID Act. The reference to practices in Indian Oil Corporation, Hindustan Petroleum Corporation Ltd. and Cochin Refineries Ltd. has no relevance. There are other variations in service conditions and welfare measures applicable to workmen of the Respondent Corporation and those working in other Public Sector Undertakings. SLS was introduced voluntarily by the Respondent and not pursuant to any demand made by the workmen. Hence for all these reasons the Respondent prays that the claim may be dismissed.

7. In the reply statement the First Petitioner union alleged that though the SLS was introduced voluntarily w.e.f. 01-09-1995, it became a service condition since 1995 and is covered by Clause 3 & 8 of the 4th schedule of I.D. Act. For those drawing self leave, 10% of the total salary drawn is treated as additional income and liable for IT. Hence the contention of the Respondent that self leave does not form part of service condition is incorrect. The contention of the Respondent that workmen will get higher rental than Officers is incorrect and baseless. Moreover, both the categories are incomparable as the Officers are getting innumerable monetary benefits in the name of perks in addition to their monthly salary. The workmen have not sought for substitution of terms of the lease. It is only the Respondent which is trying to alter the SLS by reducing the rate of self lease unilaterally. If the Respondent fails to comply with Section-9A of the I. D. Act, the change becomes illegal and therefore, in the name of contract the employer cannot deprive the workers of the benefits of SLS. SLS being an additional benefit for satisfactory performance, introduced by the Respondent in 1995, the same cannot be compared with HRA. Hence, for all these reasons, the First Petitioner union prays that an award may be passed in their favour.

8. The second and third petitioner union filed reply statement and raised the same allegations as that of first petitioner union. Points for determination are:

- (i) Whether the demand raised by the Petitioner unions against the management of BPCL over the demand for continuing the self-lease formula without any change w.e.f. 01-06-1995 is justified?
- (ii) If so, to what relief the concerned workmen are entitled to?

Point No. 1

9. The admitted case of both sides is from the year 1991. The Respondent Management has introduced SLS for Officers as it was increasingly difficult for the Respondent Corporation to provide accommodation to its Management staff. The Management mooted in case of such employees, their premises should be taken on lease and paid a monthly rent coupled with some maintenance allowance should be beneficial to both individual and

Company and in the year 1995 by the circular dated 01-09-1995 (Ex.W2) the SLS for Officers was also extended to the employees in the workmen category. It provided for rental ceiling between 25% to 40% of the maximum basic pay in the relevant grade. On behalf of the the petitioner it is contended the terms of SLS are very important because the main contention of the Management is that SLS is not a service conditions and only HRA is a service condition and that SLS is purely in the nature of contract viz. landlord-tenant relationship but on perusal of Ex.W2, it is clear that it was given only to the serving employees of the Respondent Management and it was also given to those whose performance rating were good and if the ratings come down the SLS will be terminated and therefore it was given only as an incentive to an employee for his better performance. It was not as if it was a case where an employee had a vacant house/flat and the Respondent took it on lease in which case it could be said that is not a service condition but in this case Ex.W5 and Ex.W2 circulars clearly stated that the property is taken from the employee on lease and it was based on his/her performance and if his/her performance falls, SLS will be terminated and if an employee is continuously absent for 30 days in a year, the lease will be terminated. Further, if any departmental proceedings are initiated against an employee, who is under SLS, the lease will be terminated. Lastly, it is stated the lease is based on pay drawn amount and not on the value of the property owned by the employee. From all these facts, it is clear SLS is another benefit given to an employee and is related to his performance unlike HRA which is a normal benefit. It is further argued that Ex.W2 circular shows that the rental ceiling under SLS is for maximum 40% in metropolitan cities. Therefore, if really it is a rental agreement, the rent would be based on the locality and value' of the property. It is not the case in the SLS scheme since it cannot be said SLS is not a service condition runs which is directly contrary to Ex.W2 and Ex.W5 circulars. But as against this, on behalf of the Respondent it is contended the Respondent Management with a view to improve the standard of living of the employee at all levels, it used to voluntarily introduce welfare measures. Such welfare measures are introduced or extended at the discretion of the Respondent Management and as they are not to be part of the service conditions, they are never subject matter of negotiations with the unions representing the workmen. In the year 2000, when the SLS for Officers were revised from the then existing rental ceiling of 25% to 40% to 15% to 30%, the Respondent Corporation decided to implement it in the workmen category as and when their scales of wages come up for revision. The LTS applicable to the employees of the workmen category expired on 31-05-1998 and the next settlement was made on 11-09-2001 revising the scales of pay from 01-06-1998 and, following the settlement 11-09-2001 revising the scales of pay of workmen, the revised formula of SLS viz. 15% to

30% had to be implemented. Accordingly, the Respondent Management issued a circular dated 14-12-2001 to the workmen advising them in detail about the lease rent and maintenance charges under the SLS and they were given the option either to continue to avail the existing terms and conditions of the SLS or opt for revised SLS or for payment of HRA. It is only optional in lieu of HRA and no employee in any category can compel the corporation to extend the SLS and if anyone wants to avail the SLS, he should execute a lease deed and any variation in the payment of rent to the premises given to the Corporation by lease can only be by mutual agreement. Therefore, it is not open to any employee to accept one part of the SLS which convenient to him and refuse the other terms thereof. It is further argued on behalf of the Respondent it is not in consideration of good performance or attendance, the concession is extended to an employee. If good performance or attendance is lacking, the concession may not be available but that does not mean that the concession will automatically be extended based on good performance and attendance. The rent will have to be fixed on certain uniform basis so that there is no arbitrariness in fixing the quantum of rent. It was for this reason alone the SLS provided for fixation of rent as a percentage of basic pay. From Ex.W2 & W5; there is no warrant to conclude that SLS was a condition of service. Further, under Ex.W2, it is mentioned under condition 5(ii) the Management has right to review the rental ceiling in terms of the condition.

10. I find some force in the contention of the learned counsel for the Respondent though the learned counsel for the petitioner argued that SLS though given as an incentive to an employee for his better performance which is clear from EX.W2, it is only a condition and not an incentive given to the employee. Then again, the learned counsel for the petitioner contended that when the earlier L TS expired on 31-05-1998, the petitioner unions placed a fresh charter of demands dated 07-04-2000 under Ex.W9. In that they have demanded an increase in the percentage of SLS and in metro cities they have demanded an increase from 40% to 60%, but the Management did not agree for any increase, the unions left it at that and there was only a revision of wages and the L TS dated 11-09-2001 viz. Ex.W15 was signed and it was to come into effect from 01-06-1998. In the L TS under Clause-24, it is clearly mentioned that unless the existing terms were specifically modified, only earlier terms will continue. In the L TS (Ex.15), it has been specifically mentioned that the notional maximum will be considered only for the purpose of payment under SLS. Therefore, if according to the Management, only HRA is a service condition and not the SLS, the notional maximum for SLS would have not have found place in the LTS. Therefore, this circumstance is clinching as to show that SLS is a service condition and therefore the contention of the Respondent Management is without any substance.

11. But as against this on behalf of the Respondent it

is contended that when the L TS was made under the one of Ex.15, there was a subsisting tenancy agreement which cannot be unilaterally altered by either of the parties revising the rent and any change in the SLS would automatically bring about a change in the tenancy agreement. Any change of the SLS would not automatically bring about a change in the tenancy agreement. Similarly, any change in the settlement would not automatically bring about a change in the tenancy agreement. Therefore, unless the existing tenancy agreement is replaced by mutual agreement, the lessor cannot demand a variation in the rent. It is very important to note that the L TS, SLS and rental agreement are separate and distinct and any change in anyone of them would not automatically change in the result of another. In the LTS, the notional maximum was fixed because the existing scale of pay were replaced by an open ended scale. It is meant for any subsequent tenancy agreement to be made between the Corporation and the employees. The tenancy agreement can continue only the employee accepts the pre-revised SLS. Though the petitioner alleged that nowhere it is stated under EX.W2 that the Respondent Management reserved any right to change the quantum of rent nor there is any provision for unilaterally reducing the amount received by an employee. But this statement overlooks condition 5(ii) in Ex.W2, therefore the Management right to review the rental ceiling in terms of condition 5(ii) in EX.W2 is part of a service condition which the workmen has accepted. It is further contention of the learned counsel for the Respondent that it is settled that any concession granted voluntarily would not conform part of service condition and he relied on the ruling reported in 1970 (2) LLJ 413 INDIAN OXYGEN LTD. VS. UDAY NATH SINGH & OTHERS AND 1983 (1) LLJ 429 WORKMEN OF HINDUSTAN TELEPRINTERS & HINDUSTAN TELEPRINTERS LTD. In the Indian Oxygen case, the Supreme Court has held when a request made by the workmen of the company that empty carbide drums should be sold at concessional rates, it was considered by the Management and when a complaint was filed under Section-33A by some of the workmen before the Tribunal on the allegation that the company was guilty of provisions of Section-9A and 33 of the I.D. Act, the Supreme Court has held “the sale of carbide drums to the workmen was really a matter of concession and further held that the Tribunal has committed grave error in construing what is contained in the minutes and the Exhibits C2& B2 as constituting an agreement between the Management and the union. It has also further erred in holding that the matters mentioned in the above Ex. C2 has become part of the service conditions of the workmen”. In the Hindustan Teleprinter case, the division bench of the High Court has held “the payment of conveyance allowance is at the discretion of the Management and subject to the availability of funds, the workmen cannot treat it as functional allowance as a right:”. Even in this argument, I find much force in the learned counsel for the Respondent. Then again

the learned counsel for the Respondent contended even assuming without conceding for argument sake that EX.W2 created a service condition, a question would arise whether in terms of Ex. W2, the Respondent was entitled to revise rental ceiling. There is a provision in Clause 5(ii) of Ex. W2 that the Management will have the right to review the rental ceiling and Standard Rent Recovery from time to time. Hence the arguments of the learned counsel for the Petitioner that the Respondent Management has no right to review the rental ceiling is without any substance. Here again, I find much force in the contention of the learned counsel for the Respondent.

12. Again, the learned counsel for the petitioner contended that the contention of the Management under Ex. W2 that the Management reserved its right to review the rate of rental ceiling and SRR from time to time does not mean that once the workers have opted for the scheme, the Management can unilaterally reduce the percentage of SLS. Further, under the LTS dated 11-09-2001 which was settled under Section 12(3) of the I. D. Act, the parties have specifically agreed as to how the SLS has got to be arrived at. When such is the case, it is not open to the Management to contend that it is their prerogative to modify the SLS. Once the employees have accepted the terms of SLS, it has become a service condition, the Management cannot unilaterally alter it to the prejudice of the workmen and it can be only done by means of an award or another settlement. Therefore, reducing the percentage of SLS from 40% to 30% would be in violation of Section 9A of the I. D. Act read with Item-8 to the 4th Schedule of the I.D. Act. Admittedly, no notice of change was given by the Management in this case before issuing the circular dated 14-12-2001, therefore it is in violation of the I. D. Act.

13. As against this, the learned counsel for the Respondent contended the LTS, Ex. W15 dated 11-09-2001 does not deal with any SLS. The mere mention of the maximum notional basic pay for the purpose of SLS would not mean that the settlement governed the subject of SLS. What it meant was that if any tenancy agreement was to be made after the settlement based on the SLS, then the rental to be fixed on the notional basic pay. Therefore, the revision of the rental ceiling in terms of condition 5(ii) of the Ex. W2 circular would not amount to violation of the terms of settlement dated 11-09-2001. Therefore, the arguments of Section-9A of the I.D. Act is without any substance.

14. Here again, I am inclined to accept the arguments of the learned counsel for the Respondent because the LTS does not deal with the SLS, under Ex. W15, it is only a mere mention that if any agreement was to be made after the settlement, it should be based on notional basic pay. Again the learned counsel for the Petitioner contended, no doubt, the learned counsel for the Respondent has relied on the ruling reported in 2003, (1) LLJ 819 SWARNKAR

CASE but in that case the bank invited offers from willing employees to go on VRS but they did not choose to accept the offer made by all the employees. Under those circumstances, the Supreme Court has held that in that case no right had accrued to the employees and it was mere invitation to offer but in this case on hand the Management put up a circular dated 01-09-1995 under Ex. W2 for SLS and the eligible employees offered their property and it was accepted by the Respondent and, therefore, once it is clear that there is an offer and acceptance and the contract is complete, therefore the decision relied on the learned counsel for the Respondent is not applicable to this case on hand.

15. But as against this, the learned counsel for the Respondent contended Ex. W2 circular is only invitation to offer. Accepting the conditions of Ex. W2 including the power of the Corporation to revise the rental ceiling under condition 5(ii), the workman in this case made an offer to make his premises available for lease and accepting that offer, the tenancy agreement is made. Therefore, condition 5(ii) in Ex. W2 circular is part of the tenancy agreement. It is for that reason even the tenancy agreement says that the rent will be fixed or modified by the Corporation and, therefore, the decision is applicable to the facts of this case. The learned counsel for the Petitioner again contended that with regard to judgment 1970 (2) LLJ 413 INDIAN OXYGEN LTD. is concerned, the sale of carbide drums at concessional rate was subject to availability and it did not refer to the performance of an employee whereas in this case, SLS is not granted to all those who possessed the home but only to those employees who performed well and did not have any disciplinary proceedings and who did not continuously absent themselves for 30 days in a year. Hence, the criteria for grant of SLS makes it a service condition and it is only a service condition and the Respondent Management cannot alter it unilaterally without any notice.

16. But as against this, the Respondent advocate again contended that it is incorrect to say that good performance and attendance and absence of disciplinary action are the conditions for granting SLS. It is only an information to workman that SLS would not be made available to the employee if there is no regular attendance or lack of performance or if they were put to any disciplinary action but the converse is not true. Here again, I find much force in the contention of the learned counsel for the Respondent because there is no condition for granting SLS.

17. The learned counsel for the Petitioner again contended, that the judgment reported in 1983 1 LLJ 429 VIZ. HINDUSTAN TELEPRINTER LTD. case will not be applicable to petitioner's case because in this case SLS is itself granted based on the performance and not subject to availability of funds and it is not based on value of property

but on the basis of performance of an employee with a condition that it will be discontinued in case the performance goes down. Further, the rent is fixed on the pay drawn by the employee and the notional maximum has been negotiated in the LTS talks and, accordingly, entered into LTS. Hence, it forms part of service conditions and any change to the prejudice of an employee has to be made only in accordance with Section-9A of the I.D. Act. For this, the learned counsel for the Respondent contended the decision reported in 1983, 1, LLJ, Page 429 was cited in support for the proposition that when a discretion is retained by the Management on any issue, then it cannot be called as a service condition. In this case, Ex. W2 condition was imposed by the Management and it is only the discretion of the Management whether to accept the SLS or not. Under such circumstances, it cannot be said SLS is a service condition. Then again, the learned counsel for the Respondent contended the issue referred for adjudication is a demand consequent to the revision of rental ceiling and that demand having been made during the currency of Ex. W15, the reference is bad. Only to support this proposition, he relied on the decision 1973 (2) LLJ Page 283 Employees of Tungabhadra Industries Vs. their Workman & Others. Even the order of reference has been made at the direction of the High Court, it does not take away the right of the Respondent to challenge the reference on the ground that the demand referred was in violation of subsisting settlement. In 2000 (1) LLJ 247 NATIONAL ENGINEERING INDUSTRIES VS. STATE OF RAJASTHAN & OTHERS, the Supreme Court has held "when the writ petition was filed challenging the reference and when a dispute is made irrespective of its validity, the High Court cannot take away the right of the Management to question the validity of the dispute in the light of subsisting settlement" and, therefore, in this case the Respondent Management is questioning the right with regard to the reference. But as against this, the learned counsel for the petitioner contended, in the judgment reported in 2000 (1) LLJ 247 NATIONAL ENGINEERING INDUSTRIES VS. STATE OF RAJASTHAN & OTHERS, it was held that the High Court can quash if there is no I.D., it was also held that a settlement will encompass all the disputes at the time of settlement. The present dispute has been referred to this Tribunal only pursuant to the orders of Hon'ble High Court. The LTS did not provide for reduction of SLS on the contrary the unions demanded for higher percentage of SLS at viz. 60% and the same was not agreed to; therefore, the Management had to maintain the existing percentage of SLS at 40%. It is the Management's unilateral action for reducing the percentage of the SLS to the prejudice of the workmen that has been referred for adjudication to this Tribunal. If the Hon'ble High Court had opined there was no dispute in view of the settlement then the reference itself would not have been ordered. Therefore, it is futile to contend that the Respondent is entitled to question the order of reference. I find much force in the contention of the learned counsel

for the petitioner and I am not inclined to accept what is referred to this Tribunal is only a demand for SLS. Further, it is not stated whether demand of the employee is for SLS. However, the SLS formula without any change is justified.

18. Then again the learned counsel for the petitioner contended the HPCL, IOCL & ONGC etc. which are all petroleum companies and PSUs, there is no reduction in the percentage of SLS given to the employees but the Respondent Management alone tried to reduce the percentage of SLS and it will be in violation of Arts. 14 & 16 of Constitution of India. Being an instrumentality of the State, the Respondent cannot discriminate and act arbitrarily and in the circular, the Respondent Management has not given any reason as to why they want to reduce the SLS particularly when they are earning profits based on the performance of all the employees and, therefore, the ruling in AIR 1988 SC 1407 and 1990 (Supp) SCC 688 will apply to this case. Further he argued in the NORTH BROOKE JUTE CO. AIR 1960 879, it was held "that any unilateral change in respect of service conditions enumerated in 4th Schedule of I.D. Act is illegal" and in the case of 1981 (1) SCC 31 and AIR 1972 SC 1917, it was held that "there cannot be any change in service condition without compliance with Section-9A of the I.D. Act". In this case, SLS is a privilege given to an employee and it is higher than HRA. SLS is only given to an employee who performs well and not to all and such a privilege cannot be unilaterally reduced after having identified the worker and extended the same to him and therefore the concession conferred necessarily attracts Section-9A of the I.D. Act. In the IOCL CASE REPORTED IN 1975 (2) LLJ 319 when the Assam Compensatory Allowance was withdrawn, it was held "that even though it was a concession/perquisite, it cannot be unilaterally withdrawn and was declared to be illegal". The facts and decisions in these cases cited above clearly show that SLS in this case is a service condition. The attempt of the Respondent Management to unilaterally reduce it to the prejudice of the workmen is illegal and arbitrary as no notice under Section-9A was given. Further the learned counsel for the Petitioner contended that the Management cannot take away the vested rights of the employees. Further, SLS is treated as a perquisite and tax is deducted for the said amount. Therefore, it is clear that it is treated as a service condition.

19. As against this, the learned counsel for the Respondent contended that what is referred to Ex. W3 is that in accordance with I.T. Rules, the extension of self lease to the residential units of workmen is to be classified as perquisite for which I.T. is to be levied. This has nothing to do with the understanding between the parties as to the nature of the SLS. Ex. W2 is only an invitation to offer, the workmen made the offer for tendering his premises for lease and accepting the offer and as such a tenancy agreement was made. Therefore, the condition No. 5(ii) of Ex. W2 is

part and parcel of the rental agreement. Thus, the workmen has accepted the power of the Corporation to revise the rental ceiling. It is only a concession given to the employee and the Corporation has retained the power to revise it. Therefore, it is not necessary to give any reason for revising the SLS. In any event, in the present case, SLS was revised for Officers. What was extended to the workmen in the year 1995 was the SLS which was available for the Officers. When the SLS for Officers was revised, it was revised for the workmen also. There is nothing secret in revising the same. Therefore, at no stretch of imagination, it can be said that SLS is a service condition. Since SLS was a condition granted voluntarily to the employees of the Respondent, it would not amount to be a part of service condition. Though the unions made an allegation that during the discussion of LTS, a promise was made by the Management to maintain the existing rate of rental ceiling, they have not established this fact by any satisfactory evidence. When it was contended by the Management and when WW3 viz. the representative of the 3rd petitioner union has admitted in the cross-examination that SLS did not figure in the discussion which precedes the LTS, it is clear no discussion was made during the LTS, it is only a false claim by the 1st petitioner union in their claim statement. No doubt, the petitioner unions compared the other PSUs in their claim statement and also in the evidence but when they have admitted the allowance and wages and other service conditions of the IOCL, HPCL, ONGC and CPCL are not the same, there is no question of maintaining parity with regard to SLS alone, therefore, by referring the SLS prevailing in other PSUs, the Respondent cannot be directed to maintain the SLS at 40% of the basic pay. Here again, I find much force in the contention of the learned counsel for the Respondent. Further, there is no evidence on record to show that the above PSUs have retained their right to revise the rental ceiling as in the case of Respondent Corporation in the condition of Ex.W2.

20. Considering the entire facts and circumstances in this case and the arguments of the learned counsels for the Petitioners and Respondent, I am inclined to hold that the SLS extended by the Respondent Management is not a service condition and the Respondent Management has every right to revise the rental ceiling in the lease agreement and therefore, I find this point against the petitioners.

Point No. 2

The next point to be decided in this case is to what relief the petitioners are entitled?

21. In view of my foregoing findings that the demand raised by the petitioner unions for continuing the self-lease formula without any change is not justified. I find the members of the petitioner unions are not entitled to any relief.

22. Thus, the reference is answered accordingly.

(Dictated to the P.A., transcribed and typed by him, corrected and pronounced by me in the open court on this day the 5th December, 2007)

K. JAYARAMAN, Presiding Officer

Witnesses Examined:

For the I Party/Petitioner	WW 1 Sri G. Saravanan
	WW2 Sri P. S. Janardhanan
	WW3 Sri B. Balagopal

For the II Party/Mgmt.	MW1 Sri Ramakrishnan
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Documents Marked :—

On the Petitioner's side

Ex.No.	Date	Description
Ex.W1	09-03-1995	Long Term Settlement
Ex.W2	01-09-1995	Self Lease Scheme
Ex.W3	25-03-1996	Notice to workmen regarding Self-Lease Scheme—Recovery of Income Tax
Ex.W4	09-04-1996	Circular No. GA/116/SL/STAFF issued by the Indian Oil Corporation Ltd — Self Lease Scheme
Ex.W5	10-04-1996	Notice to workmen regarding Self-Lease Scheme — Effect of Absenteeism
Ex.W6	24-10-1997	Circular No. IR&S:PCR issued by the Hindustan Petroleum Corporation Ltd. — Self Lease Scheme
Ex.W7	04-02-1999	Circular No. 3/7/1999 - EH issued by Oil and Natural Gas Commission — Self Lease Scheme
Ex.W8	16-02-1999	Memorandum of Settlement - Cochin Refineries Ltd. — Self Lease Scheme
*Ex.W9	07-04-2000	Common Charter of Demands
Ex.W10	04-05-2000	Circular No. 3/7/99 — EH issued by Oil and Natural Gas Commission — Self Lease Scheme
Ex.W11	March 2001	Management's proposal in Goa
Ex.W12	March 2001	Management's proposal in Goa
Ex.W13	28-06-2001	Memorandum of Understanding

		between Hindustan Petroleum Corporation Ltd. and its workmen — Self Lease Scheme — Item No. 13 of Wage Revision	Ex.W34	—	Comparative % revision of Basic/HRA/SLS — as granted now
Ex.W14	June 2001	Management's proposal in New Delhi	Ex.W35	—	Comparative % revision of Basic/HRA/SLS — as per Union's Demand
Ex.W15	11-09-2001	Long Term Settlement	Ex.W36	—	Chart showing employees on Self Lease Scheme drawing Self Lease Scheme less than the Applicable HRA
Ex.W16	11-10-2001	Order terminating the Self Lease Scheme			
Ex.W17	14-12-2001	Management's circular changing Self Lease w.e.f. 01-06-1998	Ex.W37	—	Copy of the 1978 settlement at Regional Level regarding raising of demands with regard to medical facilities for self and dependent members
Ex.W18	24-12-2001	Strike Notice			
Ex.W19	02-01-2002	Letter of Regional Labour Commissioner (C)	Ex.W38	09-03-1995	Long Term Settlement
Ex.W20	04-01-2002	Letter of Regional Labour Commissioner (C)	Ex.W39	01-09-1995	Self-Lease Scheme
Ex.W21	04-01-2002	Management's reply to Regional Labour Commissioner (C)	Ex.W40	25-03-1996	Notice to workmen regarding Self Lease Scheme—Recovery of Income Tax
Ex.W22	07-01-2002	Minutes of the Conciliation Proceedings	Ex.W41	09-04-1996	Circular No. GA/116/SL/STAFF issued by the Indian Oil Corporation Ltd. - Self Lease Scheme
Ex.W23	09-01-2002	Union's reply to the Regional Labour Commissioner (C)	Ex.W42	10-04-1996	Notice to workmen regarding Self-Lease Scheme - Effect of Absenteeism
Ex.W24	25-01-2002	Strike Notice			
Ex.W25	06-02-2002	Letter of Regional Labour Commissioner (C)	Ex.W43	24-10-1997	Circular No. IR&S:PCR issued by Hindustan Petroleum Corporation Ltd. - Self Lease Scheme
Ex.W26	07-02-2002	Management's reply to Regional Labour Commissioner (C)			
Ex.W27	08-02-2002	Minutes of the Conciliation Proceedings	Ex.W44	04-02-1999	Circular No. 3/7/99—EH issued by Oil and Natural Gas Commission - Self Lease Scheme
Ex.W28	09-02-2002	Union's reply to the Regional Labour Commissioner (Central)	Ex.W45	16-02-1999	Memorandum of Settlement - Cochin Refineries Ltd. - Self Lease Scheme
Ex.W29	09-04-2002	Minutes of Meeting between Management of Cochin Refineries (Bharat Petroleum Corporation Ltd.) and its Union Representatives - Self Lease Scheme. Item No. 3 of the Minutes	Ex.W46	07-04-2000	Common Charter of Demands
Ex.W30	09-08-2002	Memorandum of Settlement - Kochi Refineries Ltd.	Ex.W47	04-05-2000	Circular No. 3/7/99 - EH issued by Oil and Natural Gas Commission - Self Lease Scheme
Ex.W31	09-09-2002	Order in WP No. 6523/2002			
Ex.W32	07-11-2002	Order in WA No. 3285/2002			
Ex.W33	—	Benefits available for employees with HR—Comparison with Self Lease Scheme	Ex.W48	March 2001	Management's proposal in Goa
			Ex.W49	March 2001	Management's proposal in Goa
			Ex.W50	28-06-2001	Memorandum of Understanding between Hindustan Petroleum Corporation Ltd. and its workmen - Self Lease Scheme - Item No. 13 of Wage Revision
			Ex.W51	June 2001	Management's proposal in New Delhi

Ex.W52	11-09-2001	Long Term Settlement	Ex.W74	—	Salary slip of Employees drawing HRA more than the Self-Lease
Ex.W53	11-10-2001	Order terminating the Self-Lease	Ex.W75	—	Form-16 of employee drawing HRA
Ex.W54	14-12-2001	Management's circular changing Self-Lease w.e.f 01-06-1998	Ex.W76	—	Details of Taxable Income of Employee drawing HRA
Ex.W55	24-12-2001	Strike Notice	Ex.W77	24-12-2001	Strike Notice
Ex.W56	24-12-2001	Strike Notice of PEA, Cochin	Ex.W78	03-01-2002	Letter of Regional Labour Commissioner (C)
Ex.W57	03-01-2002	Letter of Regional Labour Commissioner (C)	Ex.W79	04-01-2002	Management's reply to Regional Labour Commissioner (C)
Ex.W58	04-01-2002	Management's reply to Regional Labour Commissioner (C)	Ex.W80	04-01-2002	Minutes of the Conciliation Proceedings
Ex.W59	04-01-2002	Minutes of the Conciliation Proceedings	Ex.W81	24-01-2002	Union's reply to the Regional Labour Commissioner (C)
Ex.W60	24-01-2002	Union's reply to the Regional Labour Commissioner (C)	Ex.W82	28-01-2002	Strike Notice
Ex.W61	25-01-2002	Strike Notice of PEA, Cochin	Ex.W83	11-02-2002	Order passed in WP No. 3280/02, Madras High Court
Ex.W62	28-01-2002	Strike Notice	Ex.W84	26-02-2002	Affidavit filed in support of WP 6523/2002
Ex.W63	09-04-2002	Minutes of Meeting between Management of Cochin Refineries (Bharat Petroleum Corporation Ltd.) and its Union Representatives Self-Lease Scheme. Item No. 3 of the Minutes	Ex.W85	26-02-2002	Memorandum of WP 6523/2002
Ex.W64	09-08-2002	Memorandum of Settlement-Kochi Refineries Ltd.	Ex.W86	28-02-2002	Interim Order granted in W.P.M.P. No. 901/2002
Ex.W65	—	Benefits available for Employees with HRA Comparison with Self-Lease	Ex.W87	26-03-2002	Reply filed in WP 6523/2002
Ex.W66	—	Comparative % revision of Basic/HRA/SLS—as granted now	Ex.W88	17-04-2002	Order in WA No. 1053/02, Madras High Court
Ex.W67	—	Comparative % revision of Basic/HRA/SLS as per union's demand	Ex.W89	08-06-2002	Additional Reply filed in WP 6523/2002
Ex.W68	—	Chart showing Employees on Self-Lease Scheme drawing Self-Lease less than the Applicable HRA	Ex.W90	22-10-2002	Order in WA No. 3118/2002
Ex.W69	—	Salary slip of Employees drawing Self-Lease less than the applicable HRA	Ex.W91	27-12-1973	Charter of Demands of Petroleum Employees Union
Ex.W70	—	Form-16 of Employees drawing Self-Lease	Ex.W92	01-09-1978	Memorandum of Settlement
Ex.W71	—	Details of Taxable Income of Employees drawing Self-Lease	Ex.W93	29-06-1981	Charter of Demands of Petroleum Employees Union
Ex.W72	—	Particulars of value of perquisites of Employees drawing Self-Lease	Ex.W94	—	Bharat Petroleum Workmen's Medical Benefit Scheme
Ex.W73	—	Chart showing Employees under HRA drawing more than Self-Lease	Ex.W95	14-05-1985	Exemption from the provisions of the E.S.I Act, 1948
			Ex.W96	14-06-1995	Circular No. PD.M.GEN.CON on Festival Advance
			Ex.W97	—	Charter of Demands of Petroleum Employees Union towards Wage Settlement Due w.e.f. 01-06-1998
			Ex.W98	03-07-1999	Memorandum of Settlement on Introduction/Upgradation of Computers System and Technology

Ex.W99	11-09-2001	Memorandum of Settlement on Wages 01-06-1998 to 31-05-2008
Ex.W100	01-10-2001	Circular HRS. S. Welfare. Con on Computer Loan Scheme
Ex.W101	12-07-2004	Circular HRS.3.2 on Vehicle Loan
Ex.W102	—	Option format for HRA as per Circular(a)
From the Management's side		
Ex.M1	07-04-1995	Long Term Settlement
Ex.M2	04-09-1995	Circular introducing SLS to workmen category
Ex.M3	29-11-1995	Lease agreement - Non Management Staff
Ex.M4	07-04-2000	Consolidated charter of demands
Ex.M5	11-09-2001	Long Term Settlement
Ex.M6	14-12-2001	Circular - Self Lease Scheme
Ex.M7	31-12-2001	Letter regarding - Lease term - leased to the Corporation
Ex.M8	03-10-1991	Circulars introducing of SLS to Managers and above
Ex.M9	10-07-1991	Salary revision - Management staff
Ex.M10	28-02-1992	Circular extending SLS to Officers
Ex.M11	—	Specimen lease agreement (old one) Officers.
Ex.M12	10-07-1992	Lease agreement - Management staff
Ex.M13	20-10-1994	SLS Scheme raising the ceiling from 25% to 40%
Ex.M14	13-07-1995	Lease agreement - Management staff
Ex.M15	16-08-1995	Revision in SLS scheme
Ex.M16	29-01-1996	Revision of pay scale and allowance — Management staff
Ex.M17	01-03-1996	Consent letter for changes in lease agreement given by Officers
Ex.M18	06-03-1996	Sample of Self Lease Scheme Agreement, executed by Officers — Fresh agreement as per Circular dated 16-08-1995
Ex.M19	08-06-1995	Sample copy of Self Lease Scheme agreement - before the circular dated 16-08-1995
Ex.M20	07-09-2000	Notice issued to Management staff regarding revision in SLS renewal

Ex.M21 20-09-2000 Specimen letter issued to Officers advising about the change.

नई दिल्ली, 4 जुलाई, 2008

का.आ. 2018—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार खदान श्रमिक सहकारी समिति के प्रबंधतंत्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ संख्या, सीजीआईटी/एलसी/आर/272/97) को प्रकाशित करती है, जो केन्द्रीय सरकार को 04-07-08 को प्राप्त हुआ था।

[फा. सं. एल-26012/20/97-आईआर(एम)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 4th July, 2008

S.O. 2018.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. CGIT/LC/R/272/97) of the Central Government Tribunal/Labour Court, Jabalpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Khadan Shramik Sahakari Samiti and their workmen, received by the Central Government on 04-07-2008.

[F. No. L-26012/20/97-IR(M)]

KAMAL BAKHRU, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT, JABALPUR

No. CGIT/LC/R/272/97

Presiding Officer : Shri C. M. SINGH

Shri Bide Ram,
C/o Shri Sahadeb Sahu,
At & PO: Dallirajhara,
Distt. Durg (MP)

Workman/Union

Versus

The Chairman,
Khadan Shramik Sahakari
Samiti, Mahamaya Mines, Post. Mahamaya,
Teh. Balod,
Distt. Durg (MP)

Management

AWARD

Passed on this 16th day of June, 2008

1. The Government of India, Ministry of Labour vide its Notification No.L-26012/20/97-IR(Misc) dated 17-09-97 has referred the following dispute for adjudication by this Tribunal :—

"Whether the action of the management of Khadan Shramik Sahakari Samity, Mahamaya, in terminating the services of Shri Bide Ram, w.e.f. 25-05-1996 is justified? If not, whether the workman is justified in claiming departmentalisation by the management of Bhilai Steel Plant in accordance with the settlement dated 14-11-95 along with back wages and benefits?"

2. In the present reference no body put in appearance for the parties inspite of sufficient service of notice on them. Under the aforesaid circumstances this Tribunal was left with no option but to close the reference for award. And in this manner the reference was closed for award.

3. Neither there is any Statement of Claim filed on behalf of workman on record nor there is any Written Statement filed on behalf of the management on record. It is a no evidence case.

4. It appears from the above that the parties have no interest in this reference proceeding and perhaps no Industrial Disputes exists between them. Therefore it shall be just and proper to pass no dispute award in this case. Therefore no dispute award is passed without any orders as to costs.

5. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

C. M. SINGH, Presiding Officer

नई दिल्ली, 4 जुलाई, 2008

का.आ. 2019.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ओ.एन.जी.सी., देहरादून के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, नई दिल्ली के पंचाट (संदर्भ संख्या आई.डी.सं. 70/1991) को प्रकाशित करती है, जो केन्द्रीय सरकार को 04-07-08 को प्राप्त हुआ था।

[फा. सं. एल-30012/2/89-आईआर(एम)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 4th July, 2008

S.O. 2019.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. I.D. No. 70/1991, of the Central Government Tribunal/Labour Court II, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of ONGC and their workmen, which was received by the Central Government on 04-07-2008.

[F. No. L-30012/2/89-IR(M)]

KAMAL BAKHNU, Desk Officer

ANNEXURE

BEFORE THE PRESIDING OFFICER : CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II

PRESIDING OFFICER: R.N.RAL I.D. No.70/1991

IN THE MATTER OF:

She Niranjan Pandit,
C/o. K.K. Anand,
53, Aakash Deep Colony,
Ballu Pur Road,
Dehradun (Uttarakhand).

Versus

The Chairman,
ONGC, Tel Bhawan,
Dehradun (Uttarakhand).

AWARD

The Ministry of Labour by its letter No. L-30012/2/89-IR(Vivid) Central Government dt. 28-04-1989 has referred the following point for adjudication.

The point runs as hereunder :—

"Whether the removal of Sh. Niranjan Pandit, S/o. Sh. Siva Nand Pandit, Pump Cleaner dated 01-01-1988 by the management of Natural Gas Commission is justified ? If not, what relief the workman is entitled to."

The case of the claimant is that he was initially appointed on 3rd August, 1983 and worked continuously up to 30-09-1986. That after 30-09-1986 the employer illegally deprived the workman of work and wages. That the illegality of depriving the workman of work and wages during 01-10-1986 to 31-10-1986 was brought to the notice of the employer as such he was re-engaged on 01-09-1987. He worked up to 31-12-1987. He worked up to 31-12-1987 that less wages have been paid to him. He has not been paid wages from 01-10-1987 to 31-12-1987.

That the management went to the extent of adopting unfair labour practice inasmuch as taking advantage of the poor condition and helplessness of the workman coerced him to work under fictitious name for various periods.

That due to financial hardship and helplessness and prevailing acute unemployment the claimant/workman has no way out except to submit to the above coercive methods and signed the muster rolls and payment receipts in fictitious names and assumed names. The management introduced fictitious to curtail the period of 240 days of the workman.

The workman was working throughout and continuously from 03-08-1983 to 30-09-1986, so the workman was entitled to retrenchment compensation and one

month's pay in lieu of notice under section 25-F of the ID Act, 1947.

The case of the management is that the workman was given fixed term appointment. He was a Plumber and whenever there was requirement of Plumber he was engaged for a particular day and payment to him was made for that particular day. ONGC Karamchari Union moved an application on 09-06-1987 after almost 10 months from the removal of the workman before the ALC, Dehradun raising the ID and wrongly alleging termination of employment of Sh. Nirajan Pandit w.e.f. 1st September, 1986.

That the settlement was arrived at between the ONGC Karamchari Union and the management before the ALC, Dehradun. It has been held in the settlement that the workman has not worked for 240 days continuously in 12 calendar months. He has worked for 180 days from November, 1985 to July, 1986. It has also been mentioned that the management has agreed to make payment of wages of 7 days, notice pay and he would be given preference in view of section 25-H of the ID Act, 1947. The union accepted the proposal and the case before the ALC was concluded.

That the workman was given engagement and he was paid 7 days wages. That the matter was amicably settled between both the parties and it shall be deemed admitted by the workman that he has not performed 240 days work in any of the years of his employment. The workman accepted the offer of appointment u/s 25-H of the ID Act, 1947 along with 7 days wages and he was engaged but subsequently his services were terminated for lack of work with the management. That the workman was engaged @20.15 for 30 working days and payment of the same was made to the workman.

The workman applicant has filed rejoinder. In the rejoinder he has reiterated the averments of his claim statement and has denied most of the paras of the written statement. The management has also denied most of the paras of the claim statement. Evidence of both the parties has been taken. Heard argument from both the sides and perused the papers on the record.

It was submitted from the side of the workman that he has completed 240 days in each year of his employment. Work was assigned to him whereas he was compelled to sign in the name of other workers in order to ensure that the workman does not complete 240 days work. The management has not paid him retrenchment compensation and one month's pay in lieu of notice while terminating his services.

It was submitted from the side of the management that the workman got all his claims compromised before the ALC and it shall be deemed that the workman has admitted that he has not completed 240 days in any of the years of his employment. He did not take the case of 240 days employment before the ALC and the case of payment

being made in the name of fictitious persons. The case before the ALC was settled. The workman was given engagement for one month on daily wages basis and when the work was not available his services were terminated.

From perusal of the records it transpires that the workman raised the dispute before the Conciliation Officer, Dehradun. The settlement was reached before the Conciliation Officer and the Conciliation Officer has mentioned that the workman has worked only for 180 days. The workman agreed to be re-engaged in view of section 25 H of the ID Act, 1947.

The only case which the workman can take at present is whether there is breach of section 25 H of the ID Act, 1947 and some juniors to the workman have been retained and the workman has been removed.

There is no such pleading either in the claim or in the rejoinder or even in evidence of the workman. He has not named any junior casual labours retained by the management in breach of section 25 H of the ID Act, 1947.

He has filed affidavit and he has asserted that he has worked for more than 240 days. He is estopped from raising this issue in view of the settlement before the ALC. The only plea open to workman is whether some junior to the workmen have been retained in breach of section 25 H of the ID Act, 1947. The workman has failed to establish that the management removed the workman and retained junior casual labourers.

The workman was engaged on day to day basis. Even the working days mentioned by the workman indicate that his services were required when there was work of Plumber and payment to him was made on daily wages basis. There is list of other Plumbers also and they have been engaged on daily wages basis. It is not established that the post of Plumber in the management is a regular work. There is no evidence on the record regarding regular employment of casual labourers for plumbing work.

The workman has not completed 240 days work in any of the years of his employment. There is no cessation of his services and there is no retrenchment in view of section 2(oo) of the ID Act, 1947. The workman is not entitled to get any relief.

The reference is replied thus :—

The removal of Sh. Nirajan Pandit, S/o. Sh. Siva Nand Pandit, Pump Cleaner dated 01-01-1988 by the management of Natural Gas Commission is justified. The workman applicant is not entitled to get any relief as prayed for.

The award is given accordingly.

R. N. RAI, Presiding Officer

Date : 11-06-2008